

Richard Lynn Dopp #126054

Name

OSP HSE7 P.O. BOX 97

McAlester, OK 74501

Address

FILED

MAY 03 2012

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY *[Signature]* DEPUTYUNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMARICHARD LYNN DOPP,
-vs- Plaintiff,JUSTIN JONES, JOHNNY BLEVINS,
RANDY KNIGHT, ALECIA MADDOX, KARA
JOHNSON, RANDALL WORKMAN, DAVID
ORMAN, JOHN MARLAR, CHESTER MASON,
GENESE McCOY, DEBBIE MORTON, TERRY
GRENSHAW, LINDA MORGAN, ED EVANS,
RONALD ANDERSON, SCOTT PRUITT, C/O
SGT. NICHOLSON, MARGARET GREEN, C/O
SGT. McMANUS, DR. SOCKEY, BOB COMPTON,
KRISTY WINGO, T. DAVIS, IA HERT,
DAVID MILLER, and RICHARD ROBERTS,
Defendants.

CIV-11-1495 D

CASE NO
(To be supplied by the Clerk)CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C.
§1983JURY TRIAL DEMANDED
SECOND AMENDED COMPLAINT

- 1) Richard Lynn Dopp, is a citizen of Oklahoma
(Plaintiff) (State)
who presently resides at OSP HSE7, P.O. Box 97, McAlester, OK 74501
(Mailing address or place
of confinement)
- 2) Defendant Justin Jones is a citizen of
(Name of first defendant)
Oklahoma City, Oklahoma, and is employed as
(City, State)
Okl. Dept. of Corrections (ODOC) Director. As the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of
state law? Yes ☒ No ☐. If your answer is "Yes", briefly explain:

Defendant Jones was acting under color of state law and is sued in his individual capacity and for purposes of injunction and RLUIPA in his official capacity if applicable. As ODOC Director, Mr. Jones is vested by state statute with authority and responsibility for the operation of all ODOC facilities, as head policymaker for prescribing rules¹ pertaining to the management of said prisons and for the control, care and treatment of all inmates remanded to the custody of ODOC.

¹ Such rules, when reduced to writing, are customarily promulgated in the form of Dept. policy statements, also issued in the form of operation memoranda have the force and effect of law. Otherwise known as OP's.

- 3) Defendant Johnny Blevins is a citizen of Oklahoma, City, OK, and is employed as ODOC Internal Affairs (IA) Administrator. At the time the claim(s) alleged in this complaint arose was this defendant acting under color of state law? Yes ☒ No ☐ If your answer is "Yes", briefly explain:
See page 3 et 3)

(Use the back of this page to furnish the above information for additional defendants.) See pages 3-4

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983. (If you wish to assert jurisdiction under different or additional statutes, you may list them below.) 42 U.S.C.A. §1985(3), §1986, RLU TPA
42 U.S.C.A. §2000 cc-1, and Supplemental / pendant Jurisdiction over all state law claims

B. NATURE OF THE CASE

- 1) **Briefly state the background of your case.** Pltf was issued a Certificate of Release from Okla. Dept. Of Corrections (ODOC) and Lawton Correctional Facility (LCF) on 10/05/2009 thereby authorizing his release/departure from LCF. On that same date Pltf did not have personal knowledge as to whether his release from LCF was unlawful or not. Almost exactly thirty (30) days later, on 11/06/09, ODOC Internal Affairs (IA) officers/agents came to petr's mother's residence and entered her home w/out her consent and arrested pltf. On that same date pltf did not have personal knowledge as to whether his release from LCF was unlawful or not. The media coverage of this mishap brought substantial employment threatening embarrassment upon ODOC/LCF officials, whereas directly resulted in prison officials not taking pltf back to LCF (Medium security prison), but instead sent pltf to Okla. State Penitentiary (OSP), a maximum/supermax security prison). Once there on 11-10-2009, pltf was immediately told by OSP officer in charge of his reception "you know LCF f..ked up real bad and DOC is embarrassed by all this, so they are going to try and hide and punish you as deep within the system as they can here at OSP," and then pltf was put into a Disciplinary Unit (DU) punishment cell. Subsequently, pltf was put into Administrative Segregation (AS) indefinitely. Pltf alleges various violations of his U.S. and Okla. Constitutional rights stemming from these conditions of his confinement, especially that he has been deprived due process before and during/after being re-incarcerated at OSP max/supermax, DU/AS status, rising to acts of retaliatory punishment, but not limited thereto. Pltf further alleges his claims arise out of a systematic pattern of events arising from the same series of transactions or occurrences and share a question of law or fact common to all defs as to liberty interest standing, thereby triggering due process protections, and also that of an ongoing conspiracy to violate pltf's rights, but not limited to.

3) Def Blevins was acting under color of state law and is sued in his individual capacity if applicable. As ODOC IA Administrator, Mr. Blevins is vested by state statute and/or ODOC Director with authority and responsibility of ODOC IA operations and of supervision of his employees under him.

4) Def Randy Knight is a citizen of OK city, OK, and is employed as ODOC IA officer under direction/supervision of Def Blevins. Def Knight was acting under color of state law and is sued in his individual capacity and for purposes of injunction and RLUIPA in his official capacity if applicable.

5) Def Alecia Maddox is a citizen of OK City, OK, and is employed as ODOC IA officer under direction/supervision of Def Blevins. Def Maddox was acting under color of state law and is sued in her individual capacity and for purposes of injunction and RLUIPA in her official capacity if applicable.

6) Def Kara Johnson is a citizen of OK City, OK, and is employed as ODOC IA officer under direction/supervision of Def Blevins. Def Johnson was acting under color of state law and is sued in her individual capacity and for purposes of injunction and RLUIPA in her official capacity if applicable.

7) Def Randall Workman is a citizen of McAlester, OK, and is employed as Okla State Penitentiary (OSP) head facility warden. Def Workman was acting under color of state law and is sued in his individual capacity and for purposes of injunction and RLUIPA in his official capacity if applicable. As OSP Warden, Mr. Workman is vested by state statute with responsibility for performing all duties pertaining to OSP as are fixed by ODOC. The established duties of warden include supervisory responsibility for the government and operations of OSP and OSP employees. Written rules issued pursuant to said warden are promulgated in the form of memoranda, directives, operational policies, etc.

8) Def David Orman is a citizen of McAlester, OK, and is employed as OSP mailroom supervisor. Def Orman was acting under color of state law and is sued in his individual capacity and for purposes of injunction and RLUIPA in his official capacity if applicable.

9) Def John Marljar is citizen of McAlester, Ok, and is employed as OSP physician. Def Marljar was acting under color of state law and is sued in his individual capacity and for purposes of injunction in his official capacity if applicable. Def Marljar's position as OSP physician is also created by the state through ODOC and/or statute and is responsible for OSP inmate healthcare.

10) Def Chester Mason is a citizen of McAlester, OK, and is employed as OSP Chief Health Services Administrator (CHSA). Def Mason was acting under color of state law and sued in his individual capacity and for purposes of injunction in his official capacity if applicable. Def Mason's position as OSP CHSA is also created by the state and ODOC and or statute and is responsible for OSP inmate healthcare and apparently supervisory responsible over OSP physicians, dentists, nurses, etc.

11) Def Genese McCoy is a citizen of OK City, OK, and is employed as ODOC medical services administrator (MSA). Def McCoy was acting under color of state law and is sued in individual capacity and for purposes of injunction in official capacity if applicable. Def McCoy's position as MSA is also created by the state through ODOC and/or statute and is responsibility is supervising all ODOC facilities and their health services and/or providers, including OSP CHSA, physicians, dentists, nurses, etc.

12) Def Debbie Morton is a citizen of OK City, OK, and is employed as ODOC Director's designee otherwise known as ODOC Administrative Review Authority (ARA). Def Morton was acting under color of state law and sued in her individual capacity and for purposes of injunction and RLUIPA in her official capacity if applicable. Def Morton's position is also created by the state but through ODOC Director and responsible for supervising or otherwise reviewing all ODOC prisons' Grievance and/or Grievance appeals and has authority vested by said designation to provide relief allowed by ODOC or law.

13) Def Terry Crenshaw is a citizen of McAlester, OK, and is employed as OSP Warden Workman's designee otherwise known as OSP Reviewing Authority. Def Crenshaw was acting under color of state law and sued in his individual capacity and for purposes of injunction and RLUIPA in his official capacity if applicable. Def Crenshaw's position is also created by the state but through OSP warden, and responsible for supervising or otherwise reviewing grievances submitted by OSP inmates and has authority vested by said designation to provide relief allowed by OSP/ODOC or by law.

14) Def Linda Morgan is a citizen of McAlester, OK, and is employed as OSP Deputy Warden. Def Morgan was acting under color of state law and sued in her individual capacity

and for purposes of injunction and RLUIPA in her official capacity if applicable. Def Morgan's position is created by the state and/or ODOC Director or OSP Warden and is responsible for OSP employees and personnel complying with OSP/ODOC operating policies otherwise known as OP's and OSP's.

15) Def Ed Evans is a citizen of Okla City, OK, and is employed as ODOC Deputy Director. Def Evans was acting under color of state law and sued in his individual capacity, and for purposes of injunction and RLUIPA in his official capacity if applicable. Def Evans position is created by the state and/or ODOC Director and is responsible for all prisons' compliance with ODOC operating policies, otherwise known as OP's.

16) Def Ronald Anderson is a citizen of OK City, OK, and is employed as ODOC Asst. General Counsel. Def Anderson was acting under color of state law and sued in his individual capacity, and for purposes of injunction in his official capacity if applicable. Def Anderson's position is created by state law and/or ODOC Director and acts as legal advisor/counsel for ODOC, but not limited to.

17) Def Scott Pruitt is a citizen of OK City, OK, and is employed as State of Okla Attorney General. Def Pruitt was acting under color of state law and sued in his individual capacity and/or official capacity for purposes of the herein claims and/or injunction if applicable. Def Pruitt's position is created by state statute and is responsible for representing the state, its entities, subentities, subentities, employees of state, etc., but not limited thereto.

18) Def C/O SGT. Nicholson is a citizen of McAlester, OK, and is employed as correction officer (C/O), apparently a sergeant. Def Nicholson was acting under color of state law and sued in his individual capacity.

19) Def Margaret Green is a citizen of McAlester, OK, and is employed as procedures officer. Def Green was acting under color of state law and sued in her individual capacity and/or official capacity for purposes of injunction if applicable.

20) Def C/O SGT. McManus is a citizen of McAlester, OK, and is employed as correctional officer (C/O), apparently a sergeant. Def McManus was acting under color of state law and sued in his individual capacity, and official capacity for purposes of RLUIPA.

21) Def Dr. Sockey is citizen of McAlester, OK, and is employed as OSP Dentist. Sockey was acting under color of state law and sued in his individual capacity or offl capacity for purposes of injunction.

22) Def Bob Compton is a citizen of McAlester, OK, and is employed as Kitchen Supervisor. Def Compton was acting under color of state law and sued in his individual capacity/official capacity for purposes of injunction.

23) Def Kristy Wingo is a citizen of McAlester, OK, and is employed as Business manager. Def Wingo was acting under color of state law and sued in her individual capacity, and/or in her official capacity for purposes of injunction.

24) Def Tracy Davis is a citizen of McAlester, OK, and was employed as OSP H-Unit manager. Def Davis was acting under color of state law and sued in his individual capacity.

25) Def IA Hert is a citizen of OK City, OK, and is employed as ODOC IA under direction and/or supervision of Def Blevins. Def Hert was acting under color of state law and is sued in his individual capacity and for purpose of injunction in his official capacity.

26) Def David Miller is a citizen of Lawton, OK, and is employed as LCF Head Warden. Def Miller was acting under color of state law and sued in his individual capacity, and/or in his official capacity for purposes of injunction.

27) Def Richard Roberts is a citizen of Lawton, OK, and is employed as a Misconduct/Disciplinary Officer at LCF. Def Roberts was acting under color of state law and sued in his individual capacity, and/or in his official capacity for purposes of injunction.

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach up to two additional pages (8½" x 11") to explain any allegation or to list additional supporting facts.)

A) (1) Count I: ODOC/OSP Defs' committed acts, inactions, conduct and omissions against Pltf constituting deprivations/violations of U.S. Constitution's 1st Amendment, but not limited thereto.

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and date. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

(A). On or about 11-13-09 while in DU (Disciplinary Unit) cell, Pltf notified Defendant (Def) T. Davis, H-Unit manager (UM) thru Request to Staff (RTS) that Pltf was being deprived of his Holy Bible, unable to practice his Christian Religion, denied physical access to Law Library (4/4) and that the 4/4 3-case Runner system (continued pages 8-20)

B) (1) Count II: ODOC/OSP Defs' committed acts, inactions, conduct and omissions against Pltf constituting deprivations/violations under RLUIPA 42 U.S.C.A. § 2000 cc-1, but not limited to.

(2) Supporting Facts: (A). Correlating with Count I (2) at (A) & (B) above, Pltf wanted to engage in exercising his Christian religion thru reading/studying of his Holy Bible, but Defs' Davis & Workman burdened/interfered with that right by refusing to allow Pltf his Bible or any other bible, and refused Pltf to participate in any congregational group (or any other substitute) church services. Then, Def. Olman burdened/interfered by refusing to afford Pltf right to pet bout for redress of grievances in attempts to remedy same. (DEC p 26-31, p 31/16-30).

(continued pages 20-24).

- ① All dates referenced herein this Complaint and attached Declaration are on or about dates, not necessarily exact dates.

C) (1) Count III: ODOC/OSP DeFs' committed acts, inactions, conduct and omissions against PTF constituting deprivations/ violations under 42 U.S.C.A. § 1985, and § 1986, but not limited to.

(2) Supporting Facts: PTF is a believer/practitioner/follower of well established christian religion (DEC p 3 L16-32, p 4 L1-12), and as such qualifies for a lawfully recognized protected class of people whose rights are protected from discrimination, and violation of equal rights protection of law under § 1985(3) based upon PTF's choice and/or preference of his religion. All above named DeFs' knew or reasonably should have known that PTF highly regards his christian religion class and the right to continue practicing it. (Cont pages 24-25)

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? Yes ☒ No ☐ If your answer is "Yes", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit:

Plaintiffs: Richard L. Doff

Defendants: D. Miller, Larry Rollerson, Dayton Poppell, etc.

- b) Name of court and docket number W.D. of Okla. CIV-06-8420

- c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) Voluntarily dismissed pursuant to

settlement agreement.

- d) Issues raised 8th Amendment Denial, 1st Amendment Religious

- e) Approximate date of filing lawsuit 2006

- f) Approximate date of disposition 2010

- a) Plff: Richard L. Dopp
Def's: D. Miller, D. Caldwell, Mrs. Halvorson, etc.
- b) W.D. O.Ha. CIV-09-101 D
- c) voluntary dismissal
- d) 8th Amendment denial, cruel & unusual punishment, excessive, unnecessary force, food, religious, etc.
- e) 2009
- f) 2010

- a) Plff: Richard L. Dopp
Def's: D. Miller, D. Caldwell, etc.
- b) W.D. O.Ha. CIV-10-663 D
- c) dismissed
- d) same as in CIV-09-101 D above
- e) June 25, 2010
- f) 8-01-11

- a) Plff: Richard L. Dopp
Def's: J. Jones, J. Blevins, R. Knight, etc.
- b) W.D. O.Ha. CIV-10-1198 D
- c) voluntary dismissal
- d) Fall of 2010
- e) Fall/Winter of 2010

- a) Richard L. Dopp
Def's: J. Jones, J. Blevins, R. Knight, etc.
- b) W.D. O.Ha. CIV-11-306 D
- c) dismissed without prejudice
- d) almost identical to herein complaint
- e) March 2011
- f) Tenth Circuit denied petition for Rehearing on 11-03-11

employed was unconst'l. The latter of which caused interference and delay with pltf's ability to challenge his conditions of immediate confinement in DU on 11-10-09 and recent reincarceration on 11-06-09. As acting UM, Def Davis had power & authority to provide a remedy but failed to do so. On 12-03-09, Def R. Workman was notified by pltf of exact same allegations referenced (ref) above through (thru) a Grievance, and having power & authority to provide a remedy Workman & T. Crenshaw Failed to do so. Finally, on 12-23-09, Def D. Orman refused to send Defs' Jones & D. Morton (ODOC Administrative Review Authority - ARA) pltf's Grievance Appeal of above ref matter due pltf's indigent status, thereby violating pltf's right to petition Government (Govt) for redress of grievances. (B). On 11-18-09 From DU cell, pltf notified Workman thru Emergency Grievance that he was being denied his Holy Bible resulting in denial of practice of religion, denied physical access to 4L and that 4L 3-case runner system was unconst'l resulting in delay & interference with pltf's ability to challenge conditions of confinement in DU & reincarceration. Def Workman having power & authority to provide a remedy, Failed to do so. Finally, on 12-18-09 Def Orman refused to send ARA pltf's Emergency Grievance Appeal of same due to indigent status, thereby interfering with right to pet Govt for redress of grievances (C). After pltf managed to acquire Holy Bible(s), on 12-21-09 Def A. Johnson seized for 21 days all pltf's Holy Bibles & religious materials, causing denial-interference in pltf's practice of religion, and seized all legal materials & confidential correspondence from attorneys/lawyers, etc., causing delays & interference in pltf's ability to challenge conditions of his confinement & reincarceration. Some of seized documents (Grievances/Appals, etc.) of which were never returned, and some read & photocopied by Johnson and coconspirator IA Defs. On 1-04-10 pltf notified Workman thru Emergency Grievance as to Johnson's above seizure, and having power & authority to

provide a remedy, Workman & Crenshaw combined, refused to do so. Finally, on 1-13-10 pltf notified Jones & Dr. Morton by Emergency Grievance Appeal of same, and having power & authority to provide a remedy refused to do so. (D). Since pltf arrived at osp and currently continues, Def Orman refuses to mail out pltf's certain legal mail, all non-legal mail (Family, Friends, ministers, clergy, churches, Booksellers/Vendors, media/newspapers, etc.), and some privileged mailings (Legislature, Governor, ARA, etc.) due to pltf's indigent status. And instead maintains pltf can only send out postcards. Orman's acts are violation of 1st Amendment, and also osp/osp policies OP-030117 & osp-030117-01, thereby interfering with pltf's Freedom to practice his religion, put Govt for redress of Grievances, and ultimate access to courts. On 1-14-10 pltf notified Workman thru Emergency Grievance that Orman was refusing to send out legal mail & Grievance/Grievance Appeals, and having power & authority to provide a remedy, refused to do so. Finally, on 2-22-10 Orman refused to send pltf's Emergency Grievance Appeal to ARA of same due to indigent status, thereby interfering with right to put Govt for redress of Grievances. (See attached Declaration (DEC) p 2 L 17-32, p 3 L 1-6). (E). In May 2010 Def Orman refused to allow pltf self-addressed return envelopes sent from H.W. Armstrong College to enable return of Bible course test sheets, w/out providing pltf or sender notice of prohibited correspondence, statement of reasons, or opportunity to be heard to challenge his decision. Pltf acquired a different envelope and submitted it with test sheets, with a separate envelope to media newspapers to Orman where he refused to mail due to pltf's indigent status & contrary to osp/osp policies, thereby interfering with pltf's practice of his religion and access to media. Pltf notified Workman of same on 5-14-10 thru R75 and refused a remedy, notified Workman on 5-27-10 thru Grievance and refused remedy. Finally, on 6-29-10 pltf notified Jones & Morton of same thru Grievance Appeal, provided no remedy.

Again on 3-01-11 pltf notified Def Orman thru RTS that his numerous times of refusing to allow pltf to receive self addressed envelopes from H.W. Armstrong college to return Bible Course test sheets without notice, reasons, opportunity to challenge them, was violation, no remedy provided. on 3-15-11 pltf notified Workmen again thru grievance of same, but Def L. Morgan refused a remedy. Finally, on 3-28-11 Def Orman refused to send grievance appeal of same to AAA, thereby interfering with pltf's right to pet Govt for redress of grievances. (See DEC p 2 L17-31). (F). On 5-27-10 & 7-08-10 pltf notified Workmen thru RTS of his need to access OSP's Segregation Housing Order, no remedy provided. Then on 6-29-10 & 8-04-10 pltf notified Workmen of same thru grievances, provided no remedy by Workmen & Crenshaw. Finally, on 7-13-10 & 8-11-10 pltf notified Jones & Morton thru grievance appeals of same, provided no remedy. All of which Def's have effectively thwarted pltf's right to pet Govt for redress of grievances and access to courts as to pltf's deprivation of due process, etc., in being placed in DU & AS, as this Housing Order Form (or lack thereof) will reflect mandatory ODOC policies were not followed. (G). On 5-27-10 & 7-08-10 pltf notified Workmen thru RTS of being given Run-around by his subordinates as to exactly where & who to submit his grievances to at OSP, whereas Workmen acting alone refused to provide a remedy. On 6-29-10 & 8-04-10 pltf notified Workmen of same thru grievances where Workmen & Crenshaw combined, refused to provide a remedy. Finally, on 7-08-10 & 8-11-10 pltf notified Jones & Morton of same thru grievance appeals, provided no remedy. All of which Def's have thwarted pltf's right to pet Govt for redress of grievances & ultimate access to courts by refusing to advise pltf where & who to submit his grievances to. (H). On 5-27-10 & 6-29-10 pltf notified Def M. Green thru RTS of his need to access ODOC/OSP "Segregation measures" policy, wherein Green refused to provide. On 6-15-10 & 7-22-10 pltf notified Workmen of same thru grievances and he refused to provide a remedy. On 6-29-10 D. Orman refused to send pltf's grievance appeal as to same (6-15-10) to AAA, thereby interfering with pltf's

right to pet Gov't for redress of grievances. On 9-13-10 pltf notified Jones & Morton of same (7-22-10) thru grievance appeal and was refused a remedy. All of which Def's interfered with pltf's right to pet Gov't for redress of grievances and ultimate access to courts as said seg measures policies reveal Def's failed to apply mandatory provisions thereof. (1). On 5-28-10 pltf notified Workman thru RTS that he was being denied to participate in religious church services, and denied regular library access, no remedy provided. On 6-29-10 pltf notified Workman of same thru grievance, no remedy provided. On 7-08-10 Def Workman refused to send Appeal to ARA, thereby interfering with 1st Amend right. On 6-05-10 pltf notified Workman thru RTS of being denied religious services, and on 7-08-10 thru grievance of same, no remedy. On 8-08-10 pltf notified Jones & Morton of same thru grievance appeal, no remedy. On 6-24-10 pltf notified Jones thru RTS that by Jones having pltf sent to osp resulted in pltf being denied to attend any religious services to which Jones knew would occur. On 7-27-10 pltf notified Workman thru grievance of same, and on 9-13-10 pltf notified Jones & Morton again of same thru grievance appeal, no remedy provided, thereby denying/interfering/burdening pltf's right to practice his religion. (See DEC p 3L 16-32, p 4L 1-12). (5). On 6-24-10 pltf notified Def E. Evans thru RTS of his failure to ensure compliance was made of osp off's to comply to ODOC policies of OP-030117, OP-030123, OP-030115, wherein would have provided pltf a remedy to mail out his privileged & nonprivileged mail pursuant to indigent status. (See DEC p 2L 17-32, p 3L 1-15). OF OP-030123 & OP-030112 wherein would provide pltf avenue to practice his religion (DEC p 3L 16-32, p 4L 1-12). Evans refused/failed to provide a remedy. On 7-27-10 pltf notified Workman of same thru grievance and Workman & Crenshaw refused to provide a remedy. Finally, on 8-11-10 pltf notified Jones & Morton of same thru grievance Appeal and was refused a remedy. By refusing to ensure compliance, enforce, and/or follow ODOC policies has resulted in all said Def's interfering/denying/burdening pltf's right to practice his religion, pet Gov't for redress

of grievances, etc. (K). On 6-29-10 pltf notified Def Orman thru R7s that he had been denying pltf. to send out grievance/grievance appeals due to his indigent status, thereby interfering with right to pet Gov't for redress of grievances, no remedy provided. On 7-08-10, pltf notified Workman of same thru grievance, provided no remedy. Finally, on 8-08-10 pltf notified Jones & Morton of same thru grievance appeal, no remedy provided, all of which are interfering with these same rights. (L). On 7-13-10 pltf notified Def Orman thru R7s of his refusal to mail out 13 prior grievance appeals to AAA, no remedy provided. On 7-19-10 pltf notified Workman thru grievance of same, no remedy provided. On 8-02-10 & 9-02-10 pltf notified Jones & Morton of same thru grievance appeal and was provided no remedy. All said Def's have denied/interfered with pltf's right to pet Gov't for redress of grievances, and ultimate access to courts by hindering his attempts to exhaust prison Admin remedies. (M). On 8-16-10 pltf notified Workman thru R7s that he was being retaliated against by being put on grievance restriction by Def Crenshaw erroneously, no remedy was provided. On 9-01-10 pltf notified Workman of same thru grievance, Workman & Crenshaw refused to provide remedy. On 9-15-10 pltf notified Jones & Morton of same thru grievance appeal, no remedy. On 3-29-11 pltf notified Workman thru R7s that Workman/Crenshaw had retaliated against him for submitting grievances to them, Resulting in all of pltf's phone #s deleted, demoted to Level I for over 1 year, and had pltf's cell searched after each grievance was filed and/or weekly, no remedy provided. On 5-03-11 pltf notified Workman of same thru grievance, no remedy. On 6-13-11 Def Orman refused to send grievance appeal of same to AAA. On 3-29-11 pltf notified Workman & Crenshaw of their above ref acts constituting cumulative retaliation for submitting grievances, no remedy, notified Workman of same thru grievance on 5-03-10, no remedy. On 6-13-11 Def Orman refused to mail pltf's grievance appeal of same. Def Morton retaliated against pltf for submitting grievance/grievance Appeals to AAA by putting

pltf on further grievance restriction and then requiring pltf to notarize and attach a multiple page single affidavit ~~pereto~~ contrary to other statutes and op-090124 IX.B.2.a. On 2-01-11 pltf notified Morton thru RTS of same being unconst'l, no remedy. On 3-07-11 pltf notified Workman of same thru grievance, no remedy. Finally, on 4-18-11 Def Orman refused to send grievance appeal of same to ARA. All of said above ref Def's have denied and/or interfered with pltf's right to pet Gov't for redress of grievances. (See DEC p 2 L 31-32, p 3 L 1-15). (N). Around July/Aug 2010 Def Orman Returned to Sender John Piper/Desiring God Ministries, ^(Miami) without affording pltf or sender a notice of prohibited correspondence, statement of reasons, or opportunity to be heard to challenge said decision. On 9-16-10 pltf notified Orman thru RTS of same being violation, no remedy. On 11-08-10 pltf notified Workman of same thru grievance, no remedy. Finally, on 11-20-10 Orman refused to mail pltf's grievance appeal to ARA of same, thereby interfering with pltf's right to pet Gov't for redress of grievances, and pltf's right to practice religion as the item(s) from above were christian book(s) & literature. (O). On 10-18-10 pltf notified Workman thru RTS of unconst'l unwritten policy of Defs Orman & Green not splitting up Book vendor/seller deliveries (1 hardback from softbacks) wherein would afford pltf to receive his softback books, no remedy. On 10-29-10 pltf notified Workman thru grievance of same, no remedy. On 1-03-11 Def Orman refused to mail out pltf's grievance appeal of same to ARA, thereby interfering in pet Gov't for redress. Also on 10-18-10 pltf notified Workman thru RTS of his unconst'l unwritten policy of denying pltf one hardback christian book from bookseller, and on 10-29-10 pltf notified Workman of same thru grievance, no remedy. On 1-03-11 Orman refused to send pltf's grievance appeal of same to ARA thereby interfering in pet Gov't for redress. On 11-17-10 pltf notified Def Mr. Green thru RTS of above ref books being disposed of without proper notice of prohibited correspondence)

statement of reasons, opportunity to be heard to challenge decision, no remedy provided. On 12-13-10 pltf notified Workman of same thru grievance, no remedy. On 1-24-11 Orman refused to mail pltf's grievance appeal to ARA, etc. On 11-18-10, pltf notified Workman thru Emergency grievance of unconst'l disposal of his books ref above, Workman & Crenshaw refused to provide a remedy. Finally, on 11-06-10 Def Orman refused to send pltf's grievance appeal to ARA of same, thereby again interfering in pltf's right to pet Gov't for redress of grievances. Not only has Def's disposed of pltf's costly new books w/out providing 1st amendment protections, Def's have interfered with pltf's practice of religion as the hardback book was a christian book "What have they done with Jesus." (P). On two (2) separate occasions in Fall of 2010, Def Orman Returned to sender christian books & literature sent to pltf From Mt. Zion Bible Bookstore/Chapel Publishers (Florida) w/out giving pltf or sender a notice of prohibited correspondence, statement of reasons, and opportunity to be heard to challenge said decision. Once discovered, on 11-22-10 pltf notified Orman thru RTS of said matter and was provided no remedy, on 11-30-10 pltf notified Workman thru grievance of said matter, and Workman & Crenshaw provided no remedy. On 1-03-11 Orman refused to send out pltf's grievance appeal to ARA as to same, thereby interfering with his right to pet Gov't for redress of grievances. On 11-30-10 pltf notified Workman thru RTS of Orman's acts of returning to sender christian books, etc., no remedy provided. On 12-13-10 pltf notified Workman thru grievance of same, no remedy. Finally, on 1-26-11 Orman refused to mail out pltf's grievance appeal as to same to ARA, thereby interfering with right to pet Gov't for redress. (Q). Def Orman has continually refused to send out pltf's grievance & grievance Appeals to ODOC ARA due to pltf's indigent status contrary to ODOC/OSP governing policies, thereby interfering with pltf's constitutional

right to petition Gov't for redress of his grievances, and ultimately access to courts by thwarting attempts at exhausting prison administrative remedies, etc. On 12-13-10 pltf notified Workman & Crenshaw thru RTS of this matter and provided no remedy. On 1-26-11 pltf notified Workman of same thru grievance, provided no remedy. Finally, on 3-05-11 Orman refused to mail out pltf's grievance appeal of same to AAA, thereby committing exact same violations complained above. CDEC p 2 L 31-32, p 3 L 1-6. (R). In Nov/Dec 2010 pltf discovered that Def Sgt. McManus had been destroying, mutilating, and trashing pltf's outgoing correspondence to Governor, pardon & parole Board, state legislature members, and Grievance / Grievance Appeals to Workman & AAA & RTS's sent thru OSP / internal mail system, thereby violating 1st Amendment, right to petition Gov't for redress of grievances, and ultimately access to courts by thwarting attempts at exhausting admin remedies. On 12-28-10 pltf notified Workman thru RTS of said matter, provided no remedy, notified Workman of same thru grievance on 2-15-11, no remedy. On 3-22-11 Orman refused to mail out pltf's grievance appeal of same to AAA, thereby interfering with right to pet Gov't for redress thereof. Also on 12-28-10 pltf notified Workman of same thru "sensitive" grievance and Workman & Crenshaw provided no remedy. On 1-03-11 pltf sent "Sensitive" Grievance to Jones & Marton of same, provided no remedy. (S). On 1-11-11 pltf notified Workman thru RTS that 4/2 Supervisor had seized his legal materials (1) Dec of inmate Bill Cather, (2) Dec of inmate Mitchell skulls, both of which were to be used in herein lawsuit to establish claims against Orman & McManus, ref in (R) above, provided no remedy. On 1-26-11 pltf notified Workman & Crenshaw thru grievance, neither one provided a remedy. On 3-07-11 Orman refused to send out pltf's grievance appeal of same to AAA, thereby interfering with right to pet Gov't for redress of grievances. Pltf also notified Workman

of same thru RTS on 1-25-11 and thru Grievance on 2-01-11, no remedy was provided. Then, on 3-07-11 Def Orman refused to mail out his Grievance Appeal to ARA, thereby interfering with right to pet Gov't for redress of Grievances. (DEC p 7L 29-31, p 8L 1-20). (1). On 2-25-11 Def Orman refused to send PltF's mail to Governor Fallin, Olla Senators' Constance Johnson & R. Hamilton due to pltF's indigent status rising to 1st Amend violation, right to pet Gov't for redress of Grievances, etc. On 3-01-11 pltF notified Orman thru RTS of this matter, provided no remedy, and on 4-05-11 Workman was notified thru Grievance of same, no remedy. On 5-09-11 Orman refused to send pltF's Grievance appeal to ARA of same, thereby thwarting right to pet Gov't for redress of Grievances, etc. (U). As ref hereinabove, Def Orman had been repeatedly refusing to send out pltF's Grievance/Grievance Appeals to ARA due to pltF's indigent status, thereby interfering with his right to pet Gov't for redress of his Grievances, and access to courts by thwarting attempts at exhausting admin remedies. On 4-05-11 pltF notified Workman & Crenshaw of said matter thru RTS, provided no remedy, and on 5-09-11 Workman was notified thru Grievance of same, no remedy. On 6-20-11 Orman refused to mail out pltF's Grievance appeal as to same to ARA, thereby interfering with right to pet Gov't for redress. (V). Just prior to 10-25-11, Def Orman refused to mail out pltF's Legal mail addressed to attorney Lawrence Hellman, Law professor at OAC University who provides representation to prisoners thru an "innocent project" to which pltF maintains he is actually innocent to AFC used as enhancement upon his current sentencing. Orman's refusal has interfered with pltF's attempts to access courts by submitting Forms provided by said attorney as attorney client privilege to prepare a non Privileged action challenging CRF-86-P6A as to his innocence. On 10-25-11 pltF notified Orman of this matter thru RTS, provided no remedy, and on 11-01-11 pltF notified Workman

of same thru Grievance, no remedy. On 1-09-11 Def Orman refused to mail out pltf's Grievance appeal of same to ARA, thereby interfering with right to pet Gov't for redress of Grievances. (W). On 1-24-11 Def Orman refused to send pltf's envelope containing RTS's to two Q) LCF staff, R. Roberts & D. Miller, and Orman refused to mail pltf's offender misconduct appeal Form (Escape) to LCF Warden D. Miller (misconduct reviewing authority), thereby interfering with pltf's right to pet Gov't for redress of Grievances, due process, and ultimately access to courts. On 1-24-11 date, pltf also notified Orman thru RTS of same, provided no remedy, and on 2-01-11 pltf notified Workman of same thru grievance, no remedy. On 3-07-11 Orman refused to send pltf's Grievance appeal to ARA, thereby interfering with right to pet Gov't for redress. On 1-26-11 pltf notified Orman thru RTS again of said matter, no remedy, and on 2-01-11, Workman was notified, no remedy. Finally on 3-07-11 Orman refused to send another Grievance appeal of same to ARA. On 2-01-11 pltf notified Jones & Morton thru Misconduct Appeal Form Doc 060125V and was allowed additional 10 days to send misconduct appeal to LCF. On 3-08-11 pltf resubmitted misconduct appeal to Def Orman with an RTS therein requesting appeal be mailed to LCF, and never saw the appeal again, but Def Crenshaw responded to the ref RTS advising pltf to submit his misconduct appeal to Crenshaw for mailing to LCF. Pltf did this on 4-10-11 with another RTS dated same and never saw his RTS or misconduct appeal again. On 5-11-10 pltf notified Workman thru grievance of same latter incident, no remedy provided, and on 6-10-11 Def Orman refused to mail out pltf's Grievance appeal of same to ARA. On 6-15-11 Def Orman refused to send out another envelope containing RTS to LCF's D. Miller in attempt to ascertain if Miller had received ref above misconduct appeals. The hereshabove CDEC p7619-28).

thoroughly demonstrates said Def's refused/interfered with pltf's right to pet Gov't for redress of grievances, due process, and ultimate access to courts, but not limited to. (X). In Nov/Dec 2011, Def Orcman returned to sender christian books & literature from Key of David publishing (Florida) without giving pltf or sender notice of prohibited correspondence, statement of reasons, or opportunity to be heard to challenge said decision. On 11-13-11 pltf notified Orcman thru Rts of same being 1st Amend violation, etc, provided no remedy, and on 1-13-12 pltf notified Workman of same thru grievance, no remedy. On 2-13-12 Def Orcman refused to mail out pltf's grievance to ARA of same, thereby interfering with pltf's right to pet Gov't for redress of grievances. (Y). On 11-07-11 Def Workman's shutdown cell search team under his order & direction seized pltf's entire criminal case files of CRF-86-43, CRF-86-86A (case pltf is innocent of see (V) above) and OCC A appellate counterparts without giving pltf a notice, statement of reasons, opportunity to be heard to challenge said seizure, and were never returned. On 11-11-11 pltf notified Workman of said matter thru Rts, no remedy, and on 1-13-12 pltf notified Workman thru grievance, no remedy. On 2-13-12 Def Orcman refused to send pltf's grievance of same to ARA, thereby interfering with right to pet Gov't for redress of grievances. All said Def's have interfered with same said right, and ultimately access to courts as to pltf's attempts to pursue non frivolous action to challenge unlawful conviction of CRF-86-86A alleging actual innocence not only involving actual innocence project (V) above, but also fed thurs corpus. (Z). On 1-05-11 pltf submitted legal papers to osp 4c to be copied whereas 4c supervisor read said papers and saw Def T. Davis name on page 11 of pltf's orig Complaint Filed in herein case, and took same to Def Davis. Def Davis realizing pltf was involving Davis in said lawsuit, decided to retaliate against pltf by directing 4c supervisor to serve pltf misconduct offense that Davis signed ORRov. (See DEC p 7 L 29-31, p 8 L 1-20). pltf alleges these rcf acts set in motion/caused by Davis has resulted in

interference with access to courts and retaliation for plaintiff exercising his right to courts with intent to cause chilling effect to deter plaintiff from filing and pursuing herein lawsuit against him and other co-conspirator Def's and the use of other inmates declarations to assist plaintiff's cause. On 1-25-11 plaintiff notified Davis thru RTS of said matter, no remedy, and on 3-14-11 plaintiff notified Workman of same thru grievance, no remedy. On 4-26-11 Def Ormen refused to send plaintiff's grievance appeal of same to ARA, thereby further interfering with plaintiff's right to pet Govt for redress of grievances. (AA). In addition to the above alleged 1st Amend violations, Def Ormen has refused to mail out plaintiff's RTS's, grievances, and grievance appeals to Jones & Morton (ARA) due to plaintiff's indignant status contrary to 1st Amend and once/osp policies ref above, as to: RTS & Grievances orthopedic tennis shoes seized Nov/Dec/Jan 2010; Appeal State Case Filing Fees 2-22-10; Appeal showers 3-02-10; Appeal Good Conduct Credits 4-15-2010; Appeal Emotional Distress 1-26-11, Appeal Cantrell refusing cert mail 1-26-11; Appeal hygiene supplies 1-27-11; Appeal RLUZPA Claims 1-27-11; Appeal Knight/Maddox (2) 2-16-11; Appeals Bleivus/Knight/Maddox/Johnson (4) 3-03-11, Appeals phones/legal materials, misconduct appeal, grievance process (6) 3-09-11; Appeal CJ-09-230 4-26-11, Appeal 4/C conditions 4-26-11; Appeal Anderson 5-01-11; Appeal Deck shoes 6-01-11; Appeal equal rights phone 6-14-11; Appeal # 11-033 6-20-11; Appeal tooth filling/periodontal disease (3) 6-23-11, 6-28-11, 8-02-11; Appeal veggie list 9-06-11; Appeal inadequate food/toothbrushes (2) 11-15-11; Appeal periodontal disease 1-09-12. Thereby interfering/refusing plaintiff's right to petition Govt for redress of his grievances.

These above ref Def's, especially Jones, Morton, Workman, & Ormen have been notified by & thru previous lawsuits that their similar if not exacting acts are unconstitutional. Said Def's have been notified of same thru RTS's, grievances, grievance

appeals, but not limited thereto, and refused to correct said violations having power & authority to do so, thereby revealing their deliberate indifference thereto. Def Jones by sending PTF to OSP set in motion a series of acts/events that he knew or reasonably should have known would result in said violations, and Workman, Blawie, & Davis well knew PTF's placement in DU/AS would result in said violations.

Count 2 (2) continued: (B). Correlating with Count 1 (2) at (C) above, PTF wanted to engage in exercising his christian religion thru reading/studying his Holy Bible(s) and relating literature, but Defs' Johnson, Workman, Jones, & Morton burdened/interfered with that right by refusing to allow return of same after being seized by Johnson. (DEC p 3 L16-30). (C). Correlating with Count 1 (2) at (D) above, PTF wanted to engage in exercising his christian religion [From 11-10-09 and currently continues as a reoccurring/ongoing violation] thru sending out Fellowship correspondence, Order Forms, visitor Forms, request for religious publications, Bible courses, etc., to clergy, ministers, churches, Religious publishers/vendors/bookstores, etc., but Defs' Orman & Workman burdened/interfered [and continues to do so] with that right by restricting PTF to send out only postcards contrary to RLUIPA and ODOC/OSP policies. Def Orman further burdens/interferes with RLUIPA, etc., by refusing to afford PTF right to pet Govt for redress of grievances in attempts to remedy same. (DEC p 2 L17-31, p 3 L16-32, p 4 L1-12). (D). Correlating with Count 1 (2) at (E), PTF wanted to engage in exercising his christian religion thru receiving Bible course return envelopes to enable him to return his Bible course test sheets back to H.W. Armstrong college. But, Defs' Orman, Workman, Jones & Morton burdened/interfered with that right by refusing to allow PTF to receive said envelopes in violation of RLUIPA and contrary to ODOC/OSP policies, etc. Def Orman further burdens/interferes with RLUIPA, etc., by refusing to afford PTF right to pet Govt for redress of grievances in attempts to remedy same. (DEC p 2 L17-31, p 3 L16-32, p 4 L1-12).

(E). Correlating with Count 1 (2) at (I) above, PltF wanted to engage in exercising his christian religion [From 11-10-09 and currently continues as ongoing/reoccurring violation] thru participating in group congregational church services, but Defs' Workman, Jones, & Morton are burdening/interfering with that right by refusing to allow any such participation [29 months and counting]. Def Orman further burdens/interferes with RLUIPA, etc., by refusing to afford pltF right to pet Govt for redress of grievances in attempts to remedy same. (DEC p2 L17-31, p3 L16-32, p4 L1-12). (F). Correlating with Count 1 (2) at (J) above, PltF wanted to engage in exercising his christian religion [From 11-10-09 and currently continues as ongoing/reoccurring violation] thru contacting churches, ministrice, clergy, religious publishers, receive and send out Bible ~~course~~ lessons & test sheets, etc., and participate at congregational church services. But due to refusal to enforce compliance to Declose policies governing same, Defs' Evans, Workman, Jones, & Morton are burdening/interfering with pltF's r/r right and RLUIPA. (DEC p2 L17-31, p3 L16-32, p4 L1-12). (G). Correlating with Count 1 (2) at (K) above, pltF was retaliated against for exercising his right to pet Govt for redress of grievances as to being denied/burdened/interfered with his right to practice his religion as r/r heretofore (I)-(G), thereby causing a chilling effect upon pltF in attempts to stop him from seeking further redress of said religious rights being violated whereas a result, Defs' Workman, Crenshaw, Jones, & Morton have further burdened/interfered by said retaliation in violation of RLUIPA. Def Orman further burdened/interfered with RLUIPA, etc., by refusing to afford pltF right to pet Govt for redress of grievances in attempts to remedy same. (DEC p2 L30-32, p3 L1-15). (H). Correlating with Count 1 (2) at (N) above, pltF wanted to engage in exercising his christian religion thru receiving/reading/studying christian books sent him from John Piper / Desiring God Ministries (Minnesota). But Defs' Orman,

Workman burdened/interfered by refusing to allow pltf to receive said books. Def Orman further burdened/interfered with RLUIPA, etc., by refusing to afford pltf right to pet Gov't for redress of grievances in attempts to remedy same. (DEC p2 L30-31, p3 L24-30). (I). Correlating with Count 1 (2) at (O) above, pltf wanted to engage in exercising his christian religion thru receiving/reading/studying a christian book "What Have They Done With Jesus" sent/purchased from Edward Hamilton Bookseller Vendor (Connecticut). But Defs' Orman, Green, Workman, & Crenshaw burdened/interfered by refusing to allow pltf to receive said book. Def Orman further burdened/interfered with RLUIPA, etc., by refusing to afford pltf right to pet Gov't for redress of grievances in attempts to remedy same. (DEC p2 L30-31, p3 L24-30). (J). Correlating with Count 1 (2) at (P), pltf wanted to engage in exercising his christian religion thru receiving/reading/studying christian books sent him from Mt. Zion Bible Bookstore/Chapel Publishers (on two occasions) (Florida). But Defs' Orman, Workman, & Crenshaw burdened/interfered with that right by refusing to allow pltf to receive said books & literature, etc. Def Orman further burdened/interfered with RLUIPA, etc., by refusing to afford pltf right to pet Gov't for redress of grievances in attempts to remedy same. (DEC p2 L30-31, p3 L24-30). (K). Correlating with Count 1 (2) at (R) above, pltf wanted to engage in exercising his christian religion thru communication with osp chaplain by RTS to which Def McManus burdened/interfered by mutilating/destroying & refusing to forward same to said Chaplain. Defs' Workman, Crenshaw, Jones, & Morton burdened/interfered in same by being advised of McManus' violation and refusing to provide a remedy. Def Orman further burdened/interfered with RLUIPA, etc., by refusing, on at least one occasion, to afford pltf right to pet Gov't for redress of grievances in attempts to remedy same. (L). Correlating with Count 1 (2) at (X), pltf wanted to engage in exercising his christian religion thru receiving/reading/studying christian books & literature sent him from Key of David publishing (Florida). But Defs' Orman, Workman

burdened/interfered with that right by refusing PTF to receive said books, etc. Def Orman further burdened/interfered with RLUZPA, etc., by refusing to afford PTF right to pet Gov't for redress of Grievances in attempts to remedy same. (DEC pd L30-31, p3 L24-30). (M). On 11-30-10, 12-13-10, PTF notified Workman thru RTS & Grievance that the refusing to allow him to receive christian books, etc., from legitimate Book stores/publishers, etc., was in violation of RLUZPA, and was provided no remedy. Def Orman further burdened/interfered with RLUZPA, etc., by refusing to afford PTF right to pet Gov't for redress of Grievances on 12-6-11 in attempts to remedy same. (N). PTF alleges by Def's' Evans, Orman, Workman, Green, Crenshaw, Jones, & Morton in denying to provide him a meaningful means due to his indigent status, to send out Order Forms & other similar requests to enable him to acquire christian books, literature, Bible course lessons, etc., acts as a substantial burden/interference that affects national commerce between other states but not limited to (Missouri, Florida, Texas, Connecticut, Minnesota) wherein said religious vendors are located. Such acts by Def's' also substantially burdens/interferes and effects commerce with foreign nations as some christian vendors/providers of books/literature, etc., reside in Canada, England, Ireland, etc., that PTF wishes to contact for further practice of his religion.

These above ref Defs, especially Jones, Morton, Workman & Orman have been notified by & thru previous lawsuit filed against them, that their similar if not virtually exacting acts are unconstitutional. These and rest of Def's have been directly notified of same thru RTSs, Grievances, Grievance Appeals, etc., and having power & authority to correct said violations reveal a pattern of refusing to do so thereby also exhibiting their deliberate indifference thereto. Def Jones by intentionally/deliberately sending PTF to OSP set in motion a series of these ref above acts/events that he knew or reasonably should have known would result in said violations, and Jones, Workman, Blewins, & Davis well knew PTF's

placement in OU/AS would result in said violations.

Count 3 (2) continued: Defs' Jones, Evans, Blewins, Workman, Crenshaw, Morton, Davis, Morgan, Knight, Maddox, & Johnson, but not limited thereto, acted and continue to act in concert with and/or conspired with each other by a meeting of the minds resulting in violations of 5495 & 5496 against pltf. Defs' Jones, Blewins 1st initiated violations by them personally having pltf sent to osp wherein directly set in motion a series of acts/events thru their co-conspirators and subordinates listed above, whereas Jones & Blewins have refused to terminate those acts/events which they knew or reasonably should have known would cause pltf extensive const'l deprivations of his right to exercise his religion. pltf references and incorporates herein, his allegations listed in Count 2 hereinabove and further alleges that those acts are a direct result of said Defs' conspiracy in causing a prejudicial outcome towards pltf by discriminating against pltf's attempts to practice his christian religion and the tenets thereof. (DEC p3L16-32, p4L1-12). For example, pltf further alleges Def K. Johnson was directed by Def Blewins who was directed by Jones, to seize pltf's bible(s) & religious literature on 12-21-09, wherein Defs' Workman & Crenshaw were directly notified of said violation, knew such was a violation of religious rights, but similarly conspired thru a meeting of minds to do nothing about it. (see Count 2 (2) at (B)). Defs' Jones, Evans, Blewins, Workman, Crenshaw, Morton, Davis, Morgan, knew that Def ocan at osp would refuse to afford pltf indigent states provision to send out correspondence to clergy, ministers, churches, pastors, religious book stores/vendors/publishers, and even though directly notified of said violations, said Defs' thru a meeting of minds conspired not to provide a remedy knowing same were religious violations discriminating against and causing prejudicial outcome to pltf's practice and exercise thereof. In further accomplishing said schematic goals of a conspiracy effort,

Def Jones directed all his subordinates involved with pltf's classification status, prison assignment, Unit & cell assignment, level status, to make absolutely sure pltf was assigned & transported to OSP with deliberate intentional motive to deny, interfere, and/or cause substantial burden, restriction, and interference with pltf's efforts to practice his fundamental methods of christian religion.

The above MP Def's have also conspired thru a meeting of minds to violate pltf's rights under equal protections of the laws and/or equal privileges and immunities under the laws clause. Specifically discriminating against him by sending pltf to OSP instead of back to a medium security prison as his true classification status requires. Similarly classified inmates at medium security prisons, including LCP to where pltf previously resided, did not, at least to the extent as osp, deprive similarly situated classified inmates opportunity to practice their christian religion or said allegations listed in Count 2 (2) hereinabove. Not only has Def Jones & Blanks and their co-conspirators discriminated and caused a prejudicial disposition against pltf thru said allegations as listed (A) thru (U), etc., but also such were intended as a retaliatory punishment tool to deteriorate pltf's mental, physical, spiritual, psychological condition and well being, as pltf's practice of his christian religious beliefs are critically important to maintain the above rec qualities to the highest degree possible in proportion to faith generated by said practice. Wherein a result of Def's conspiracy to deprive pltf of said practice thereof, pltf is slowly but surely succumbing to declination of all said qualities, wherein said results are the goal of said Defs.

If it should be later discovered that any of said listed Def's did not function in an active role in said conspiracy in violation of §1985(3), but yet Def's had knowledge of said violations, had power to prevent and/or aid in preventing said acts, but refused to do so, then said Def's or others yet to be discovered, are in violation of §1986, but not limited thereto.

D) (1) Count 4: ODC Defs' committed acts, inactions, conduct and omissions against pttf constituting deprivations/violations of U.S. Constitution's 4th Amend & Othr Constitution's Article 2 F30

(2) Supporting Facts: On 11-05-09 Def Jones personally directed Defs' Blevins, Knight & Hent to hunt down and seize pttf and return him to prison after pttf had been issued a genuine Certificate of Release from ODOC/LCF on 10-05-09. On 11-06-09 Defs' Blevins & Knight entered pttf's mother's home w/out her or anybody else's consent and seized/arrested pttf w/out any arrest warrant, search warrant, or any hold whatsoever lodged against him. Knight & Blevins failed to advise pttf of their authority to make such arrest or to what reason/charge pttf was being arrested for. Nobody has at anytime advised pttf of his miranda right warnings as required by law, nor has pttf been afforded what the courts refer to as a probable cause determination ref as a Gorstein v. Pugh hearing, required when a person has been arrested w/out a warrant. Pttf contends that none of Defs' ref above had probable cause to arrest pttf as they had no personal knowledge that pttf had committed or that he was committing an offense at the time of his arrest. Def Knight handcuffed pttf behind the back and forced him to ride in transport vehicle with his hands behind his back contorted in a manner that caused excruciating pain to his arms, shoulders, & wrists, for several hours, wherein interfered with pttf's ability to move his arms, shoulders, and wrists, for several weeks thereafter. Pttf requested he be handcuffed in front of torso for said transport, but was denied by Def Knight reflecting his use of deliberate indifference to excessive force. Once pttf alleges his arrest was unlawful as he has done, the burden shifts to Defs' to establish arrest was lawful.

E) (1) Count 5: ODOC/OSP Defs' committed acts, inactions, conduct and omissions against pttf constituting deprivations/violations of U.S. Constitution's 5th/14th Amendments, but not limited to.

② Supporting Facts: Self-Incrimination Compulsion / Compelled to Become Informant. Acting in concert thru a meeting of minds, Defs' Jones & Blevins sent Def A. Maddox on 12-10-09 to interrogate pltf (during interval of pltf being disciplinary punished) about pltf's possible criminal offense of Escape from LCF. At said interrogation pltf was ankle & wrist cuff & restrained to a waist chain in a locked room with the understanding he had to attend and could not leave until told to do so, and that he was being interrogated for possible criminal charge violations, but yet pltf was never given any miranda right warnings. After being thoroughly interrogated about pltf's controversial release from LCF, and Maddox unable to obtain her initial goal, Maddox entertained pltf with a mutual agreement to not prosecute him with any street court charges, not prosecute him with any oral LCF misconduct offense reports (write-ups), and take pltf off OULAS at osp and return him back to medium security prison, subject to Defs' Blevins & Jones approval. On 12-18-09 Def Knight interrogated pltf under same circumstances ref above, and stated that the agreement Maddox had offered pltf on 12-10-09 had been approved by Jones & Blevins and all such agreement conditions would be upheld and Knight tape recorded said agreement same date. According to that agreement pltf reluctantly provided Knight with selfincriminating info on same date (recorded) wherein Knight was completely satisfied thereby sealing pltf's part of contractual agreement.

However, on 12-21-09, Jones & Blevins sent Def A. Johnson to further interrogate pltf under same circumstances ref above, but demanded additional info from pltf not made part of original agreement ref above. Def Johnson demanded pltf inform as to who else had been released from LCF anyway similar as to how pltf had been (which would require pltf to become an informant. When pltf refused to provide Johnson with any more selfincriminating and informant info, Defs' Blevins & Jones directed and Johnson seized all pltf's bibles & religious materials, all legal

correspondence/materials, hygiene items, etc., and p1tF was taken out of AS cell with cell partner, and put back into Disciplinary Unit cell in isolation because p1tF refused to self-incriminate & become informant. P1tF's property ref above was seized for 21 days and some never returned and some or all, were photocopied, nor was p1tF allowed to cell with any other inmate thereafter. On 1-09-10, Maddox & Knight interrogated p1tF under same circumstances ref above, armed with photocopies made of materials seized by Johnson on 12-21-09. P1tF was threatened by Knight who informed p1tF that Jones told him to tell p1tF that if he did not provide the additional info, p1tF could F.cking rot down in that dungeon at OSP until he decided to provide said info. Knight accused p1tF of being a terrorist by refusing to become an informant and further incriminate himself, and that he had authority to have p1tF removed off AS/DU that very day if p1tF would provide said info.

These acts ref above committed by said Def's, but not limited to, rise to compulsion against p1tF to become an informant and provide self-incriminating info. As a result of p1tF refusing and exercising his const'l right not to provide said additional info, p1tF was served a misconduct offense report (write-up) of Escape on 10-21-10, kept at OSP and on AS indefinitely. Def Maddox not only personally participated, but was present while said violations were in process and knew or should have known said acts were unconst'l whereas she made no attempt to intervene therein. Def Workman was also notified as to said unconst'l violations after each interrogation thru personal briefing by Def's Knight, Maddox, & Johnson, wherein Workman knew or should have known said acts were unconst'l. Fact is Johnson had to have Workman's authorization to move p1tF out of AS cell to DU cell on 12-21-09. P1tF notified Jones, Blewins, Maddox, Knight, Johnson, Workman, & Morton thru ODOC offender grievance procedure in writing, and having power & authority to provide a remedy, refused to do so thereby exhibiting their deliberate indifference.

Failure To Uphold And/or Breach Of Contractual Agreement / Fraud / Undue Influence: As ref. heretofore, Def's Jones, Blews, Maddox, Knight, but not limited to, acted in concert thru a meeting of minds and/or direct participation in making a contractual agreement with Pltf as to his Release from OSP/CCF custody on 10-05-09, which included Pltf would (1) not be prosecuted with any criminal street Court charges, (2) not be prosecuted with OSP/CCF offense reports (write-ups), (3) taken off DUTAS and transferred back to medium security prison. Pltf alleges said Def's had no intention of upholding any such agreement with Pltf from its inception, and they indeed, did not uphold said agreement although they received all satisfactory info from Pltf that was agreed he provide. Def's, especially Maddox & Knight used their superior knowledge, influence, authority, as well as conspiracy of others in obtaining said self-incriminating info from Pltf that has resulted in prejudice to him, as Def's caused Pltf to be served a misconduct offense report (write-up) of escape as to the 10-05-09 incident, and continue to hold Pltf at OSP on A5. These ref above acts constitute Fraud, constructive Fraud, Breach of contract, & undue influence against Pltf. Not only did said Def's personally participate in said violations, but Pltf also notified them thru OSP/CCF offender grievance procedure in writing, and having power & authority to provide a remedy, failed to do so exhibiting further deliberate indifference. Def Workman (also thru briefing ref above), and both Workman & Morton have been and directly aware of same thru same grievance procedure and similarly provided no remedy although having power & authority to do so. Supplemental Jurisdiction may be required if claims are determined state law claims.

Equal Rights Protections of The Laws Clause Violations

Pltf has class-of-one standing and alleges the following Def's have singled him out and committed following acts of discrimination against him by denying him certain rights/privileges, etc., that said Def's are allowing other similarly situated inmates and

There is no legitimate rational basis for doing so. (A). On 7-08-10 PTF notified Workman that PTF had been discriminated against by being refused to participate in ordering Summer Food program package purchases from outside vendor, whereas other similarly situated inmates at OSP had been allowed to do so. On 8-08-10 PTF notified Jones & Marlon of same thru grievance procedure and they refused to provide a remedy, exhibiting deliberate indifference.

(B). Def Marlar has been prescribing supplemental Food (in sacks) to other similarly situated inmates at OSP due to them being prescribed medications that either directions state to be taken with Food and/or due to inmates complaining of upset stomach due to said meds. But, Def Marlar is discriminating against PTF by refusing to prescribe him supplemental Food sacks due to his meds directions stating to be taken with Food and causing upset stomach due to taking said meds. PTF notified Marlar of this matter thru RTS on 7-01-10 & 8-16-10, and notified Mason thru Grievance on 8-04-10 & 9-01-10, and then notified Def Mcloy of same on 8-11-10 & 10-11-10 thru grievance appeal, and was provided no remedy exhibiting deliberate indifference. (C).

Def Marlar has been prescribing/providing better shoes from outside vendors (purchased by ODOC/OSP) to similarly situated OSP inmates who have similar medical needs of foot damage as PTF and due to OSP deck shoes being inadequate. But after Marlar confirmed PTF has legit medical need for better shoes, Marlar has discriminated against PTF by refusing to prescribe/provide PTF shoes from outside vendors (even when PTF's family agreed to incur the cost). PTF notified Marlar of said matter thru RTS on 5-31-10, and notified Mason thru Grievance on 7-08-10, and then Mcloy thru grievance appeal on 8-08-10, neither provided a remedy, thereby exhibiting deliberate indifference. (D). Def Orman has been refusing to afford PTF to mail out grievance/grievance appeals to ODOC ARA due to his indigent status, whereas in so doing PTF alleges he is being discriminated against as other similarly situated indigent inmates in ODOC system under exact same ODOC policies,

are being afforded to send out multiple Grievance Appeals to ADA inside one (1) week. Workman was notified thru RPS of this matter on 7-14-10, and thru Grievance on 7-22-10, and Jones & Morton were notified by Grievance appeal on 9-13-10, whereas no remedy was provided exhibiting their deliberate indifference. (E). Def. Workman has been allowing similarly situated inmates at OSP to receive Christian Books from outside Bookstores/vendors/publishers, etc., but discriminating against pltf by refusing him to do so. Pltf notified Workman & Crenshaw of said matter thru RPS on 11-30-10, and Workman again thru Grievance on 12-13-10, whereas neither provided a remedy exhibiting their deliberate indifference. (F). Pltf has been discriminated against by having all his telephone numbers deleted and unable to use phone for over one (1) year in 2011, whereas other similarly situated inmates at OSP (even those on level 1 status) were still allowed to utilize telephone during this same time period. Pltf notified Workman of this matter thru RPS on 1-12-11 & thru Grievance on 1-26-11, and was provided no remedy exhibiting deliberate indifference. (G). Pltf is being discriminated against by Depts. Jones and/or Blewett by them sending and holding pltf at ODOC OSP max/Supermax prison, but yet other similarly situated offenders sentenced to LWOP for trafficking marijuana under exact same statute 63 A.S.F.2-415 are being held in custody at ODOC (or private) medium security prisons. Pltf notified Workman of this matter thru RPS on 5-28-10 and thru Grievance on 8-04-10, and Jones & Morton were notified on 8-11-10, neither Depts. provided a remedy exhibiting deliberate indifference thereto.

Retaliative Claims

In addition to initial overall retaliation claims & results thereof as alleged hereinabove suffered from ODOC/OSP Depts. against pltf for him being released from LCF and resulting media and other embarrassment, pltf further alleges the following retaliation

claims. (A). Def Crenshaw, Workman, Norbu, & Jones, retaliated against pltf for exercising his right to petition Govt for redress of his grievances. See Count 1 (2) at (M), page 12.

(B). Def McCoy retaliated against pltf for exercising his right to pet Govt for redress of his medical grievances, by McCoy also putting pltf on additional grievance restrictions in attempt to cause pltf not to pursue said right and that of attempting to exhaust his prison admin remedies as to 8th Amend violations.

(C). Defs: Johnson, Blewins, Jones, & Workman retaliated against pltf for pltf exercising his right not to become informant or self-incriminate on 11-21-09, by Def's seizing pltf's property and taking him out of AS cell and back into D cell. See Count 3 (2) at (C) heretofore page 8-9. (D). Def Nicholson retaliated against pltf for initially signing a medical waiver to deter from being marched up-the-hill in leg cuffs to see eye doctor, but when pltf attempted to sign a 2nd waiver Def Nicholson force marched pltf up-the-hill anyway in leg cuffs injuring pltf's ankle. See Count 6 (2) at (E) heretofore, page 34-35.

(E). Def Davis retaliated against pltf by directing pltf to serve a misconduct offense report (write-up) and confiscated two (2) declarations, because pltf put Davis' name on original complaint in herein action. See Count 1 (2) at (S), page 15-16, & DEC p 7L 29-31, p 8 L 1-20.

(F). Def D. Miller retaliated against pltf by having pltf serve a misconduct offense report (write-up) of escape and/or affirmed guilt of same, because pltf refiled a lawsuit of CU-10-663 @ herein this Court against Miller.

(G). Def R. Anderson retaliated against pltf for including him as a Defendant in herein lawsuit and pltf's attempt at exercising his right at informal resolution before filing herein lawsuit, whereas shortly after pltf served Anderson service of process pursuant to Rule 4 (2), Anderson, thru a meeting of minds with Def Hest

caused pltf to receive a misconduct offense report (write up).
 (H). Def Hert retaliated against pltf by having him served a misconduct offense report (write-up), because pltf refused to become Hert's in Formant as to how suicide victim received illegal contraband, and due to conspiracy with Def Anderson re: above in (G). See DEC p 9 L 7-16.

F)(1) Count 6: ODC/OSP Defs' committed acts, inactions, conduct and omissions against pltf constituting deprivations/violations of U.S. Constitution's 8th Amendment, but not limited thereto.
 (2) Supporting Facts: (A). As early as 11-13 & 11-18, 2009, pltf notified Defs' Jones, Workman & Davis, that conditions pltf was being subjected to in OSP DU, especially no lighting, no showers, inadequate indigent hygiene supplies, etc., was unconst'l. pltf also notified Workman thru grievance where Crenshaw & Workman refused to provide a remedy, and when pltf similarly notified Jones thru a grievance, Morton & Jones provided no remedy. As a result, pltf has sustained irreparable eye injury, wherein after further notifying Defs' C. Mason & G. McCoy, they also refused to attempt any treatment or refer pltf to an eye specialist. (DEC p 1 L 10-24). (B). Defs' Workman & Davis were also personally notified by pltf that he was being denied showers, razors, finger/be nail clippers causing ingrown beards with bleeding puss infection and severe pain. That 21 days w/out a shower and infrequent showers thereafter caused pltf to sustain severe rash infection/fungus on genitalia, sores, scabs, itching/flaking/bleeding of skin on various parts of his body also causing unnecessary severe pain & suffering. Workman's shower policy limited to 5 minutes is not enough time to shower, and showers do not have separate hot & cold faucet/buttons. (DEC p 5 L 19-21). Defs' Workman, Jones, & Morton have all been personally notified by pltf thru offender grievance process and refused to provide a remedy. Relevant dates & time frames are virtually same as listed in (A) above. (C). As early as 11-13 & 11-18, 2009, Defs' Davis,

Workman, and K. Lingo have been notified that OSP indigent hygiene supplies provided pltf are inadequate, with no dental floss, toothbrushes are inadequate travel toothbrushes that do not last but two weeks and are sometimes not provided for six (6) months or longer, inadequate & not enough toothpaste, wherein has resulted in pltf's periodontal disease infection of teeth & gums to worsen. Including pltf's gums & teeth swelling and producing bloody puss and severe pain requiring professional dental treatments. (DEC p 4 L13-32, p 5 L1-2). Def's Workmen, Crenshaw, Jones, & Morlon have been personally notified by pltf thru offender grievance process and refused to provide a remedy where said conditions continue. (D). As early as 1-04-10 pltf notified Def Workman of pltf's prior back injury and that OSP's mattresses being provided him were inadequate causing severe back pain. Pltf further notified Workman thru grievance and was provided no remedy. Later in the year Workman set into motion a shutdown event that resulted in pltf's entire mattress being taken for several days, leaving him to sleep on bare concrete bunk causing excruciating pain & suffering and coldness during wintertime. Workman was notified by grievance and Morlon & Jones also, but neither Def provided a timely adequate remedy. (E). On 11-13-09 pltf notified Workman that he had a prior major ankle/leg/foot injury and that unnecessary leg cuff restraints being used on his right ankle caused reinjury to that ankle. Pltf notified Workman that being thus restrained in OSP LLC for several hours each visit, and during showering (and back & forth there to) was causing pltf reinjury and severe pain & suffering, to which Workman refused to provide a remedy. These injurious conditions led to pltf refusing to be marched up-the-hill in leg restraints to see eye doctor, miler, resulting in Def Sgt. Nicholson having personal knowledge of said ankle injury. Despite this knowledge, Nicholson force marched pltf up-the-hill on 10-08-10 in leg cuff restraints causing reinjury to pltf's ankle resulting in severe swelling, pain & suffering for at least 2 weeks. Pltf alleges Nichol-

son's acts were fueled by his intention retaliating against pltf for signing a medical waiver on the prior occasion on 7-15-10 where pltf did so to prevent just such an injury. (CDELP 1L 25-31, p 261-16). Defs' Workman, Crenshaw, Jones, & Morton have all been notified of the above thru offender grievance procedure and refused to provide a remedy exhibiting deliberate indifference. (F). As to unnecessary leg cuff restraints by Def Workman and no floor mat in shower, on 8-09-10 pltf slipped in shower and injured his hip & ankle severely. Once seen by Def Dr. Marlar pltf was advised X-Rays would be taken, but never were, wherein Marlar provided no medical treatment whatsoever. pltf notified Defs' Mason and McCoy of same, who also refused to provide remedial treatment. As to claims (E) & (F) Defs' keep passing blame upon each other, Workman & Crenshaw contend Marlar has failed to indicate pltf's medical needs include not being leg cuffed, and Marlar claims he can't override Workman's leg cuff policy, all of which clearly exhibit deliberate indifference. (G). As early as 6-03-10, pltf has personally notified Defs' Workman, Crenshaw, & Bob Compton that OSP food quantity served him is grossly inadequate and does not constitute 2,000 calories daily, resulting in pltf's substantial weight loss, atrophy & shrinkage of muscles, severe stomach pains, etc. That plastic food trays are disintegrating and becoming mixed with the food as well as trapping old food and cleaning solvents underneath the plastic bubbles, insects especially ants on trays and in food. Food is cold and turned hard or into Gelatin, and that substitutions were being made that do not equal or rise above the food being substituted, and that some substitutes are not being made at all, leaving no items. For example Def Compton substitutes instant mashed potatoes for virtually every thing. From wholesome vegetable soup to later lots to corn bread, etc. These ref above shortcomings cause pltf to become sick and nauseated by such food poisoning & contamination. All said Defs' including Jones & Morton have been notified of such thru offender grievance procedure

and provided no remedy, exhibiting deliberate indifference, (CDEC p 5623-27). (H). Pltf has notified Workman as early as 8-04-10 that not only are osp provided Deck shoes inadequate but that their life expectancy of 4 months actually wear out in 2 months, and that osp failed to provide new ones. The longest period pltf was refused worn out Deck shoes to be replaced was over one (1) year, causing additional pain & suffering. Defs' workman, Crenshaw, Jones, & Morton have all been notified of some thru offender grievance procedure and refused to provide timely adequate remedy exhibiting deliberate indifference. Furthermore, Def's Marlar, Mason, & Mcloy have all been notified of pltf needing better shoes and/or supplemental slip-in insoles (for Deck shoes) due to his fragile rattle-leg-foot injury that Marlar himself has confirmed thru X-rays, but all Def's have yet to provide a remedy exhibiting more deliberate indifference to pltf's serious medical needs. (I). As early as 6-20-10 pltf has notified Def Workman that laundry at osp was only being done approximately once a week and coming back almost as dirty as it went out. That sometimes laundry would not come back at all, and then clothing, etc., would not be replaced leaving pltf without clothing or clean laundry. Def's Workman, Jones, & Morton have repeatedly been notified of some thru offender grievance procedure and refused to provide a remedy exhibiting deliberate indifference, (CDEC p 5616-18). (J). Def Workman has also been notified by pltf that due to enlarged prostate glands he is unable to hold his urine for seven (7) hours while visiting osp 4x as required by Workman's no restroom access policy, causing severe cruel & unusual punishment. On 6-08-10 Def Marlar was notified thru RTS that pltf had enlarged prostate and had been receiving medication at LCF but said treatment did not treat the cause only the symptoms, wherein pltf requested to be provided "Avodart" to actually treat the cause by shrinking prostate. Pltf's condition continues to worsen but Marlar, Mason, & Mcloy all being notified thru offender grievance procedure of said condition, refuse to treat or provide a remedy,

exhibiting deliberate indifference. (K). Def Marlar has prescribed pltf high dosages of motrin/Ibuprophen, Tylenol/Acetaminophen, and Aspirin/Acefenophen/Caffeine (latter 3 in combination) whereas these meds themselves direct pltf to take with food, especially due to upset stomach as side effect. Pltf has repeatedly but especially on 7-01-10 & 8-16-10 notified Marlar that said meds were causing major upset stomach to the point of sometimes spitting up blood and bile, and that he needed supplemental food sack to be eaten when taking these meds, but was denied. Defs' Mason & McCoy have been notified of same thru offender grievance procedure and also refused to provide a remedy exhibiting deliberate indifference. (L). On 7-01-10 & 8-16-10 pltf also notified Marlar of suffering symptoms of ulcers due to Marlar prescribing high dose meds ref in (K) above without also providing supplemental food therewith. Marlar admitted such could cause ulcers but refused to provide food or any adequate treatment, leaving pltf to continue having stomach problems & spitting up of blood & bile, etc. Defs' Mason & McCoy have also been notified of same thru offender grievance procedure and refused to provide a remedy exhibiting deliberate indifference. (M). Since pltf's arrival at OSP he has suffered more frequent and more painful excruciatingly incapacitating painful migraine headaches than ever before in his lifetime. Def Marlar prescribed pltf high doses of meds ref in (K) above that cause significant adverse side effects, wherein Marlar refuses to attempt to find the cause of said headaches and a cure. Marlar has left pltf with a catch-22 situation of continuing to take high dose meds he prescribes causing ref side effects and ultimately liver damage, or not take meds and suffer extreme pain. Defs' Mason & McCoy have been also notified thru offender grievance procedure and refused to provide a remedy, exhibiting deliberate indifference. (N). Def Workman has denied pltf all outdoors/outside exercise accommodations since 11-10-09 (29 months and counting), and at times denied pltf indoor out-of-cell exercise, wherein is supposed to occur 5 days 1 hour a day, but is not. Pltf

alleges he suffers muscle atrophy shrinkage, contributing to headaches, claustrophobia, psychological disorder, anxiety attacks, etc., by being denied outdoor exercise & fresh air (DEC p 5L21-23, 29-32, p6L 5-6) constituting cruel & unusual punishment. Defs' Workman, Crenshaw, Jones, & Morlon have all been notified of same and refused to provide a remedy exhibiting deliberate indifference. (C). Upon pltf's arrival at OSP, DEF Dr. Sockey failed to screen pltf for dental health needs as required by OSP policy and if done, Sockey would have learned of pltf's serious periodontal disease infection requiring treatment. On 1-27-10 pltf notified Sockey he had loose filling causing laceration of tongue and severe periodontal disease infection that was oozing out puss & blood, whereas no appointment was scheduled nor treatment given for over 1 1/2 years. Only after said molar tooth filling broke on off and fell out and after several more weeks of continuing to suffer additional pain & bleeding due to lacerations did Sockey finally fix said tooth, but failed to treat the periodontal disease infection. Pltf had to wait until 2-29-12, which was 2 years and 1 month from giving his 1st notification ref above, until he was finally treated for periodontal infection which treatment consisted of a mere teeth cleaning, proving to be an inadequate measure. Defs' Sockey, Jones, Morlon, Mason, & McCoy have all been notified of the above and failed to properly or timely provide a remedy exhibiting their deliberate indifference. (DEC p 4L 13-32, p 5L 1-2). (P). Pltf notified Def Compton as early as 6-18-11 that he was not a vegetarian nor ever had been, but yet Compton had pltf on receiving vegetarian food trays for approx one (1) year resulting in cruel & unusual punishment, etc. Defs' Compton & Workman were notified thru offender grievance process but refused to provide a remedy exhibiting deliberate indifference. (Q). Defs' Morgan & Evans knew or reasonably should have known that their failure to ensure OSP employees, ref heretofore at (H)-(P), were in compliance to OSP/OSP policies (OPs) would result in 8th Amendment const'l injury to pltf. If Defs' ensured compliance to OPs (seg measures, medical/dental policies, etc.) pltf would not have been put in DUSAs where

most if not all said violations occurred, and/or said policies would have prevented violations/injuries. Defs' Morgan, Evans, Workman, Crenshaw, Jones, & Morton have all been notified of some thru offender grievance procedure and refused to provide a remedy thereby exhibiting deliberate indifference. (R) Defs' Jones, Blewins, & Workman are subjecting pttf to cruel & unusual punishment by holding pttf at a max/supermax prison, whereas pttf's true classification status and that of other LWOP traffickers with same sentencing are at medium security prisons. As with those and all other traffickers, pttf's Judgment & sentence does not direct him to be held at max/supermax but implies that of medium security as with the other similarly situated offenders. Defs' Jones, Blewins, Workman, have all been notified of some thru offender grievance procedure and failed to provide a remedy exhibiting their deliberate indifference thereto.

(S). On several occasions starting on 11-01-10 pttf notified Workman that conditions of confinement he was experiencing at OSP was causing intentional emotional distress, wherein Workman has failed to provide a remedy. pttf alleges such conditions as cumulatively referenced herein this entire complaint are resulting in declines of pttf's mental health & functioning, extreme reactions such as hallucinations & delusions, negative psychological effects, anxiety, panic, loss of control, appetite & sleep disorders, paranoia, claustrophobia, conditions of which induce suicidal impulses. (DEC p 513-22, p 614-13, p 8121-31, p 911-6). Def Workman has refused to provide a remedy exhibiting his deliberate indifference thereto.

G) (1) Court 7: 00oc/osp Defs' committed and continue to commit acts, inactions, conduct and omissions against pttf constituting deprivations / violations of U.S. Constitution's 14th Amendment Due process clause, but not limited thereto.

(2) Supporting Facts: pttf alleges the following Defs', but not limited thereto, thru a meeting of minds conspired against pttf by creating/causing the following conditions of confinement

at osp that impose an "atypical and significant hardship upon pltf in relation to the ordinary incidents of prison life," whereas triggers a due process review of pltf being transferred/held at osp max/supermax facility and on AS/DU status. (DEC p 5 L 3-5, p 6 L 1-13). Pltf incorporates every previous heretofore claim & subclaim referenced as if fully incorporated herein this Court as applicable to establish the "atypical and significant hardship..." std ref above. As a prerequisite, pltf identifies state/osp/ospo regulations/policies² that establish pltf being held at osp and on DU/AS is not merely in DePs' discretion, which includes but not limited to, OP-060102 (M), OP-060111, OP-060103 (M), OP-030102, especially OP-060105 and OP-040104. In addition to the ref & incorporated claims heretofore, pltf further alleges: (A). on 11-06-09 pltf's orthopedic tennis shoes were seized at LARC w/out affording pltf notice, statement of reasons, opportunity to challenge said decision (no pre/post deprivation notice or hearing), no due process. Then over at osp Def Orman refused to mail out RTS to LARC thereby thwarting pltf's attempts at offender grievance process as a remedy. On 11-13-09 pltf notified Workman thru RTS of needing a remedy to challenge the taking of his shoes, and on 12-14-09 Workman was notified thru Grievance of same, no remedy provided. Then on 1-16-10 Def Orman refused to mail out Grievance appeal of same to ARA. (See Count 1 (2) at (AA) page 19 L 14). (B). Def R. Anderson initiated process of seizing pltf's funds hitting his osp/ODOC account, to satisfy purported unpaid 25-30 year old probation fees w/out providing pltf adequate predeprivation notice and meaningful hearing. (DEC p 9 L 17-29, p 10 L 12-17). On 12-17-09 pltf notified Workman of same matter thru Grievance and denied relief, and on 1-04-10 Def Orman refused to mail out pltf's Grievance appeal of same to ARA. (See Count 1 (2) at (AA) p 19 L 15). (C). Def Anderson initiated process of seizing pltf's funds hitting his ODOC/osp account to satisfy

purported unpaid state case filing fees, to which no state court orders exist directing pttf to pay any such fees, without providing pttf adequate predeprivation notice & meaningful hearing. (DEC p 9 L 29-31, p 10 L 1-4, 11-17). Def Workman was notified of same matter on 1-19-10 thru grievance, provided no remedy, and on 2-22-10 Def Orman refused to mail pttf's grievance appeal to AAA. (See Count 1 (2) at (AA) p 19 L 15). (D). Def Anderson initiated process of seizing pttf's funds hitting his odoc/osp account purporting to satisfy \$25,000. fine in criminal case of CF-76-265 without adequate predeprivation notice & meaningful hearing and contrary to state/odoc policy stating such would be paid upon pttf's discharge. (DEC p 10 L 4-7, 11-17). (E). Pttf alleges against Defs' Scott Pruitt and/or Drew Edmondson, that Okla's Title 57 O.S. § 566.1 & 63 O.S. § 2-415 statutes are unconstitutional, those of which also Def Anderson purports utilizing to assist him in seizing pttf's funds as ref in (B)-(D) above. (See DEC p 10 L 18-32, p 11 L 1-26). (F). osp Defs have refused to calculate Good Conduct Credits that pttf is mandatorily entitled to since his arrival at osp. Def Workman was notified of said matter thru grievance process on 3-15-10 & 1-16-11, provided no remedy, and on 4-15-10 & 3-07-11 Def Orman refused to mail grievance appeals to AAA. (See Count 1 (2) at (AA) p L 15-16). (G). pttf alleges a conspiracy exists in that Defs' Jones, Blevins, Workman, and other odoc/osp Defs', thru a meeting of minds, violated pttf's const'l rights, especially due process, by punishing pttf in DU punishment cell (11-00 unless to 11-30-09) before being charged with any offense or provided with any meaningful hearing until over 11 months later. Pttf notified Workman thru RTS's & Grievances on 5-28-10, 6-29-10, 7-08-10, & 8-04-10, provided no remedy, and Jones & Workman were notified of same thru grievance appeals on 7-08-10 & 8-11-10, no remedy provided. (DEC p 6 L 14-31, p 7 L 1-6). (H). On 11-30-10 & 12-08-10 pttf notified Workman thru offender grievance

procedure that OSG Disciplinary Officer D. Cantrell had returned to sender exculpatory evidence (Certificate of Release issued p/ffr from CCR) intended to be used in disciplinary proceedings of Escape From CCR, whereas Workman provided no remedy. (DEC p 7 L 9-11). Def Orman refused to meet p/ffr's Grievance appeal to ARA of same. (See Court 1 (2) at 8A) p L 16-17). (I.) On 2-16-11 p/ffr notified Workman & Crenshaw that OSG Disciplinary hearing officer had issued a finding of guilt without allowing p/ffr to offer witnesses or witness statements in lieu thereof, and that p/ffr possessing declarations signed by other inmates for use in heretofore lawsuit was not an offense, nor were said declarations legal materials of another inmate. Whereas Workman & Crenshaw provided no remedy, and Def Jones & Morton were notified of same on 3-21-11 and provided no remedy. (DEC p 7 L 29-31, p 8 L 1-20). (J.) On 5-27-10 & 6-29-10 Def M. Green refused to provide p/ffr access to OSG policy 00-040404 "segregation measures" thereby thwarting p/ffr's attempts to challenge his confinement at OSG DV/AS. On 6-15-10 & 7-22-10 p/ffr notified Workman thru Grievance procedure and on 6-29-10 & 9-13-10 p/ffr notified Jones & Morton of same, neither Def provided a remedy. (K.) On 5-27-10 & 8-08-10 p/ffr notified Workman of needing to access "Segregation Thwarting Order" thru RTs, and on 6-29-10 & 8-04-10 thru Grievance, whereas Workman refused to provide, thereby thwarting p/ffr's attempts to challenge his confinement at OSG DV/AS. P/ffr notified Jones & Workman of same thru Grievance appeal on 7-13-10 & 8-11-10 and was provided no remedy. (L.) P/ffr alleges Defs' Jones, Alewine, Workman, but not limited to, acted in concert thru a meeting of minds in placing p/ffr in OSG AS without affording him a notice or AS hearing or other meaningful hearing to challenge said placement, denying due process. (DEC p 6 L 14-31, p 7 L 1-6). (M.) P/ffr alleges Def D. Miller deprived p/ffr of due process in October/Nov 2010, by having p/ffr served a misconduct report (write-up) of Escape and/or upheld a finding of Guilt of same, after Def knew Fullwell

pltf had already been disciplinary punished in osp's OVI/AS over 11 months before pltf had been even served said misconduct. Def also refused to allow pltf witnesses or witness statements in lieu thereof in his behalf, or to allow exculpatory evidence of Certificate of Discharge issued him from LCF on 10-05-09 authorizing his release/leave/departure from LCF. Moreover, Def upheld said Finding knowing the and had hearsay description of incident report as only evidence did not constitute "some evidence" to support such a Finding. (DEC p 763-28). Pltf also alleges a conspiracy between Def Miller, Jones, Blevins, and R. Roberts, acting thru a meeting of minds in the making sure pltf was not only served said misconduct, but also found guilty thereof using non-neutral arbiters, etc. Def Miller also failed to properly train or supervise Def Roberts as a disciplinary hearing officer to properly be able to adjudicate said misconduct offense as is set forth hereinafter and at (N) below. (N) pltf alleges Def R. Roberts deprived him of due process in oct 2010 as acting LCF Disciplinary hearing officer as set above in (M), as Roberts knew full well pltf had already been disciplinary punished in osp's OVI/AS over 11 months before pltf had been even served said misconduct. Def also refused to allow pltf witnesses or witness statements in lieu thereof in his behalf, or to allow exculpatory evidence of Certificate of Discharge issued him from LCF. Moreover, Def entered Finding of Guilt knowing the and had hearsay description of incident report as being the only evidence did not constitute "some evidence" to support such a Finding. (DEC p 6 L 14-17 p 763-28). Pltf also alleges a conspiracy between Def Roberts, Miller, Jones, and/or Blevins acting thru a meeting of minds by making sure Def Roberts found pltf guilty of said write-up as a non-neutral arbiter.

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C.

Yes ☒ No ☐ . If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought. According to Jones v. Boock 549 U.S. 199,

127 S.Ct. 910 (2007), prisoners are no longer required to plead exhaustion of prison remedies in their complaints due to being affirmative defense, and that judicial screening requiring total exhaustion is no longer permitted under PLHA. The herein Complaint Form is a pre-Jones v. Boock. Nevertheless, the plaintiff utilized ODCOSP offender grievance procedure OP-090124 & Disciplinary procedure OP-060125 in exhausting his informal attempt, RTS, grievance, grievance appeal as to each claim. E. REQUEST FOR RELIEF he presents herein this complaint to best of his knowledge.

1) I believe that I am entitled to the following relief: Prospective Relief in form of accompanying motion for Injunction, and compensatory relief of over \$10,000 from each Def except Anderson & Pruitt. Punitive damages of over \$10,000 from each Def except Anderson & Pruitt. That Def Anderson cease & desist efforts at collecting Fees, Fines, etc., not above, not authorizing him to so collect. That Def Pruitt cease & desist from allowing anyone under his direction & control, etc., from utilizing 57 O.S. § 566.1 to collect settlements, awards, etc., as not above from plaintiff, and declare 566.1 and 63 O.S. § 2-415 fine provision unconstitutional due to references made above. If applicable, and compensatory damages are unavailable, then plaintiff requests presumed damages or addition thereto, to include costs, fees of filing, photocopies, notary services, envelopes, postage, etc., and attorney fees if later acquired and any other relief.

Signature of Attorney (if any)

This Court deems appropriate.

N/A

(Attorney's full address and telephone number.)

Signature of Petitioner

Richard L. Dopp #126054

OSP HSE 7

P.O. Box 97

McAlester, OK 74501

5-02-12

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

Executed at Oklahoma State Penitentiary (OSP) on 5-02, 2012.
(Location) (Date)
McAlester, OK, Pittsburg County

Richard L. Dopp
(Signature)
Richard L. Dopp

Declaration:

1 I, Richard L. Dopp, of legal age and sound mind, competent to
 2 testify to said matters herein, hereby state, attest, and declare that
 3 I am the Plaintiff (Pltf) and the following is true and correct;
 4 Upon my initial arrival at OSP on 11-10-09, I was marched
 5 1/4 mile to H-unit in leg cuff restraints causing severe lingering
 6 pain & suffering to my previously injured right ankle containing 6-8"
 7 inch titanium metal strip, 11-13 screws, 3 roll pins. Afterward, Pltf
 8 immediately notified Re. Workman thru RTS of said fragile leg-
 9 ankle injury and that unnecessary leg cuff restraints would result
 10 in further injury. Pltf also notified Workman of no lighting in
 11 DU cell he was placed upon said date, wherein resulted in Pltf
 12 sustaining irreparable eye injury wherein his eyes Zip back-and-
 13 forth at times involuntarily, uncontrollably, and infrequently, can't
 14 focus on one object adequately, things appear to be flying around in
 15 the air causing hallucinogenic disturbances, hard to read any thing, and
 16 as you can see effects his writing as well, due to Pltf having to
 17 strain his eyes to see in unlighted cell for 3d days. Pltf was
 18 examined by OSP eye Dr. Miller and was advised he had macular
 19 degeneration, a term he said us eye doctors use when we don't
 20 know what the hell is wrong. Dr. Miller advised there was nothing
 21 he could do but maybe an eye specialist could help, but his
 22 boss, C. Mason, would never approve it. Which proved to be
 23 true as once Pltf notified Mason of needing to see by eye
 24 specialist, Mason, as well as Gi. McCoy, refused such a remedy.
 25 Due to Workman's Law Library (4/L) policy of requiring Pltf to
 26 wear leg cuff restraints for 7 hours each visit, and not allowing
 27 Pltf to use restroom unless returned to cell and not resume 4/L
 28 visit, Pltf has suffered extended and ongoing severe pain & suffering
 29 to his right ankle, and severe discomfort due to having to hold
 30 urine while suffering enlarged prostate condition. It is also
 31 note worthy that while in 4/L Pltf is solitary confined inside

1 a Fully enclosed locked cage and has his wrist cuffs removed, but not
 2 the leg cuffs. Due to Workman's policy, PTF is required to wear
 3 leg cuffs while showering inside a locked enclosed area which resulted
 4 in PTF falling and sustaining a severe hip/ankle injury causing severe
 5 pain & suffering for several months. In attempts to deter further
 6 injury to ankle, PTF signed a medical waiver for Sgt. Nicholson
 7 declining to march up-the-hill in leg cuffs 1/2 mile round trip to see
 8 Dr. Miller. Subsequently, Sgt. Nicholson refused to allow PTF to sign
 9 a waiver, saying he got in trouble for doing that last time and that
 10 PTF was going up-the-hill whether he wanted to or not and gave PTF
 11 a direct order to cuff up and then marched PTF up-the-hill and
 12 back. This also caused injury and severe pain & suffering for several
 13 weeks. Defs Workman, Crenshaw, and MacLac keep passing buck
 14 and blame back & forth as to who's at fault on this leg cuff
 15 restraint issue, meanwhile PTF continues to be injured and suffer
 16 unnecessary pain and disability of the use of his leg as a result.

17 During PTF's entire stay at OSP, D. Orman acting in concert
 18 with and/or with R. Workman & T. Crenshaw's blessings, has
 19 implemented an unwritten policy/custom of bypassing ODOC/OSP
 20 governing policies (From affording free postage for two, one ounce
 21 letters a week, privileged or non-privileged mailings) to affording
 22 only two free postcards a week due to PTF's indigent status.
 23 PTF's case managers have advised him that he is entitled to both,
 24 post cards & letters each week, but Orman is forcing PTF to make
 25 a Hobson's choice, either send out two privileged letter mailings (or)
 26 two postcards, not both. This has directly resulted in PTF not
 27 being able to send any non-privileged letter mailings, (outside of
 28 postcards), order forms, affidavits, power of attorney, visiting forms, etc.,
 29 to clergy, ministries, churches, media, newspapers, publishers, vendors,
 30 family & friends, etc., even at times legislative members, Governor,
 31 and ODOC AAA. When T. Crenshaw 1st retaliated against PTF
 32 for filing grievances by putting him on Grievance restriction,

1 said act caused pltf to have to attach an additional multiple page
 2 affidavit to said grievances/grievance Appeals resulting in 5 or
 3 more pages to which Dr. Orman refused to mail even pursuant to
 4 privileged mails. Dr. Orman claims they are weighing over 1 ounce,
 5 yet L. Crenshaw asserts 6 pages would be mailed pursuant to
 6 indigent status. Then Dr. Marlow retaliated by upholding and
 7 putting further grievance restrictions upon pltf, and Fueling Fire by
 8 misconstruing opoc policy OP-090124 and contrary to state law Title
 9 12 O.S. §426, demanding pltf notarize each page of a single
 10 affidavit that had multi-pages. This has resulted in pltf being
 11 indebted at osp for 6-7 dollars to file 1st stage Grievance
 12 and 6-7 more dollars to file 2nd stage Grievance/Grievance
 13 Appeal, all intended as retaliation and to deter pltf from
 14 pursuing his const'l right to petition Government for redress
 15 of Grievances.

16 Pltf's sincere held religious beliefs are of Messianic/charism-
 17 atic/pentecostal based upon the Holy Bible and/or what pltf
 18 believes to be the inspired word of God. The tenets of which
 19 require group congregation (church) services for Fellowship, worship,
 20 laying of hands, exercising gifts of Holy Spirit, communal partaking of
 21 elements (Bread/wine), communal group participation of 7th day Sabbath
 22 (Fri sunset - Sat sunset), passover, Feast of unleavened bread, pentecost,
 23 Feast of Trumpets, Day of Atonement, Feast of Tabernacles, The 8th
 24 day, but not limited thereto. Such also requires continual consistent
 25 study of said tenets thru Bibles, books/literature/concordances/
 26 dictionaries, and other religious materials, as well as correspondence
 27 and/or visits with clergy, pastors, ministers, churches, vendors,
 28 bookstores, publishers, etc. pltf's ability to practice these
 29 sincerely held beliefs have not been just merely diminished,
 30 but for the most part completely denied altogether. More-
 31 over, pltf's beliefs are being infringed upon & burdened by
 32 opoc/osp Def's forcing him to observe their ritualistic

1 practice of executing Death penalty inmates, a ritual that only
 2 occurs at OSP out of all other prisons, and within brick throwing
 3 distance of p1tf. Very much contrary to p1tf's religious belief
 4 Forbidding such practice, especially when a former school mate, Gary
 5 R. Welch, was executed in January 2012, to which p1tf while doing
 6 volunteer laymen activity evangelized Welch at Ottawa County Jail
 7 in 1995-96 well before p1tf's incarceration. OSP Def's mandatory
 8 ritual exhibited on each execution date is to refuse p1tf all
 9 out-of-cell exercise, no 4L access physical or runner system, cold
 10 sack lunches instead of trays being served, no showers, etc., thereby
 11 making sure p1tf is well aware of each sadomasochistic execution
 12 being performed while p1tf is confined merely steps away.

13 Upon p1tf's arrival at OSP, OSP Dentist (Dr. Sockey) is
 14 required by law to screen p1tf to determine if he has dental
 15 needs, whereas Sockey failed to do. As a result p1tf's periodontal
 16 disease infection was left untreated, whereas even if Sockey would have
 17 cursively reviewed p1tf's dental records said condition was reflected.
 18 P1tf notified Sockey of a loose molar tooth filling and the period-
 19 ontal disease infection and that said conditions were causing blood &
 20 puss to ooze out in infected areas and lacerations of surrounding
 21 area of loose tooth filling, whereas p1tf was merely advised of
 22 being put on a waiting list to see Dentist. Meanwhile, over 1 1/2
 23 years expired w/out treatment and conditions worsening and
 24 Finally the tooth filling broke off and fell out compounding more
 25 sharpness and lacerations to tongue and surrounding soft tissue,
 26 causing additional pain; infectious swelling, more puss & blood
 27 continued to ooze out of infected areas. After several more weeks
 28 of Emergency requests being submitted Dr. Sockey finally replaced the
 29 tooth filling, but never treated p1tf's periodontal infection teeth &
 30 gums, instead stated p1tf would continue to be on waiting list.
 31 Finally on 2-29-12, over 2 years since Sockey was 1st notified
 32 of p1tf's serious condition, p1tf was afforded a mere teeth

1 cleaning, which has accomplished little, if anything, to treat or curtail
 2 PTF's periodontal disease infection.
 3 PTF is being confined at OSP max/supermax prison inside
 4 a single solitary confined cell for 23-24 hours a day 7 days a
 5 week (except on 4 visits), being fed and applied hand/leg cuffs
 6 thru a small square opening called a Bean-hole which is closed &
 7 locked except during feeding times. The cell door is encased in
 8 additional metal enveloping it and a metal angle iron strip bolted
 9 to floor in front of door for a seal purposely intended to discourage
 10 all talking to people whether they be other inmates, nurses, c/o's,
 11 etc. In winter time the heat is little to none, and in summer
 12 the A/C is little to none causing unbearable conditions as there
 13 is no way to remedy situation. There is no window, artificially
 14 lighted by single bulb, no fresh air, and no mirror. The sleeping
 15 apparatus consists of cold concrete slab extended from floor and a
 16 3" thick mattress, no pillow. Laundry service usually averages
 17 once a week and comes back dirty as it left if it comes back
 18 at all. No T.V., No Fan, No Radio, No regular-leisure library
 19 access, showers only 3 times a week if your lucky, and no
 20 separate cold & hot buttons usually ice cold in winter and scalding hot
 21 in summer. There is no outside exercise, no fresh air, no unhinder-
 22 ed sun light, no outside view of any thing (never see a tree, grass,
 23 etc.). Food served is very small in quantity and on old trays
 24 that plastic is bubbling up and peeling off that traps cleaning
 25 solvents, old contaminated food underneath and also mixes with
 26 food, plastic and all with occasional ants, where also food comes
 27 from 1/4 mile up-the-hill and is congealed and cold most of time.
 28 No jobs, no programs, nothing made available to occupy one's
 29 time. PTF may be allowed to exercise in a concrete enclosed
 30 area for what is supposed to be 1 hour 5 days a week but any
 31 little excuse will cut that off, and there is no heat or A/C in
 32 this area and no coat provided in winter time conditions.

1 The osp 4L clerks and c/o Supervisors) advise that they are unaware of
 2 anyone who has received parole or commutation From osp (t-unit),
 3 wherein such placement alone deters any Pardon & parole relief.
 4 Neighboring inmates consistently throw feces, urine, all over
 5 outside of cells and in the cells' vents causing circulation of
 6 that horrendous smell, and flood entire run area floor and other
 7 cells with feces, urine stool water. Said inmates also beat on
 8 cell doors with feet and fists all times of day and night
 9 causing horrific nerve rattling noise. Cleaning supplies to clean
 10 cells are virtually nonexistent. When cell searches are initiated
 11 at any time day or night ptf can expect to have all his property,
 12 legal papers, etc, dumped on floor and mixed up and even confiscated
 13 intentionally and deliberately.

14 PTF was put in DU punishment cell upon arrival at osp on
 15 11-10-09 without being charged with any disciplinary violation, nor
 16 given notice of reason, or given opportunity to be heard to challenge
 17 said placement. on 12-01-09 ptf was taken out of DU cell and
 18 put in AS cell with other inmate without any hearing or opportu-
 19 nity to challenge said placement. After refusing to provide K. Johnson
 20 with additional selfincriminating info and become informant upon
 21 others, ptf was placed back in DU punishment cell on 12-21-09
 22 without being served or notified of any disciplinary violation. on
 23 12-30-09 ptf was put in another AS (solitary celled) without
 24 a hearing or opportunity to challenge said placement. A case manager
 25 has come around to ptf's cell every month or so and demanded
 26 ptf sign a form titled "Segregation Review" that is basically
 27 rubber stamped by osp unit classification team where each
 28 inmate's form says exactly same thing on it, wherein no
 29 inmate is afforded opportunity to physically appear before the
 30 committee or provide any input whatsoever. PTF was not
 31 advised of nor allowed to physically participate at what osp

1 refers to as a Segregation Hearing until January 2011, well over one
 2 (1) year after pltf was placed in Administrative Segregation.
 3 Although pltf was Disciplinary punished in DU for 30 days from
 4 11-10-09 (in-out-in) to 11-30-09, pltf was not served any
 5 Disciplinary misconduct offense report until well over (11) months
 6 later on 10-21-10 alleging pltf escaped from LCF.

7 Pltf was given a Disciplinary hearing by telephone to LCF and
 8 denied to call witnesses in his behalf or submit witness statements
 9 in lieu thereof. Pltf was denied to submit Certificate of Release
 10 (COR) issued him from LCF authorizing his release from LCF
 11 constituting exculpatory evidence. The only purported evidence relied
 12 upon for a finding of guilt was an uncorroborated description of
 13 incident on the offense report written by someone who had no personal
 14 knowledge of said incident, whereas it did have hearsay and does
 15 not qualify as "Some evidence". Pltf did not escape as such
 16 term is defined as unauthorized leave or departure to which pltf
 17 had authorization to leave/depart LCF by the COR. Moreover, pltf
 18 had no knowledge on 10-05-09 or 11-06-09 as to whether his
 19 release from LCF was unlawful or not. When pltf submitted
 20 his misconduct appeal by envelope addressed to LCF Reviewing
 21 Authority, Dr. Miller, OSP's Dr. Orman refused to send it due
 22 to pltf's indigent status. Pltf attempted to obtain a remedy
 23 to mail such thru R. Workman, T. Crenshaw, J. Jones, & Dr.
 24 Morton, and was not provided any adequate remedy to do so,
 25 wherein obviously resulted in LCF not receiving said misconduct
 26 appeal. Pltf's entire placement at osp is based upon this
 27 above referenced denial of due process, and pltf being held on
 28 A5 indefinitely without any method available to redeem himself.

29 In January 2011, pltf had prepared his orig Complaint Filed
 30 in CIV-11-306 D and later in herein case reflecting osp Unit
 31 manager (U/M) T. Davis name on page 11 line 17. Pltf had

1 also acquired two (2) Declarations From inmates Bill Cathey & Mitchell
 2 Shults to assist in efforts to establish his claims against D.
 3 Orman & Supt. McManus. When pltf submitted these documents
 4 to OSP 4/L supervisor they were read and taken to U/M Davis
 5 due to his name being on page 11 of complaint. As retaliation for
 6 including T. Davis' name in said complaint, T. Davis directed 4/L
 7 Supervisor to confiscate the two Declarations and serve pltf a
 8 misconduct for possessing another inmate's legal materials of which
 9 was Dec signed by Bill Cathey. Def Davis acts were incorporated
 10 with intent to deter pltf from filing said lawsuit and involving
 11 Davis therein. The confiscation and refusal to return both Dec's
 12 to pltf has interfered with pltf's ability to establish his herein
 13 suit's claims against Orman & McManus but not limited to. Pltf
 14 felt threatened and therefore deleted T. Davis name from his Amended
 15 Complaint and deferred to include him as a defendant until
 16 Davis was no longer the Unit manager and advised he possibly
 17 would no longer be ever, diminishing the superior threat of having
 18 power & authority over pltf to continue further retaliation. Pltf has
 19 also been denied due process in his attempts to challenge this
 20 referenced disciplinary proceeding.

21 Pltf has and is now suffering severe emotional distress inten-
 22 tionally inflicted upon him by ODOC/OSP DePs due to a result of
 23 deprivations and violations alleged herein, above, and in the accom-
 24 anying complaint. These prolonged periods of such horrible emotion-
 25 ally distressing conditions of confinement are causing ill effects
 26 of those commonly associated with solitary confinement, idleness,
 27 squalor, breakouts of skin rash & fungus, gut wrenching upset stomach &
 28 nausea, ulcers, migraine headaches, declines in mental functioning,
 29 extreme reactions such as hallucinations and delusions (negative
 30 psychological effects of anxiety, panic, rage, loss of control, appetite
 31 & sleep disorders, paranoia, claustrophobia, severe constipation,

1 hair loss, manic depression, deterioration/degeneration of pltf's overall
 2 health mentally & physically, even suicidal thoughts. Some of these
 3 same exact conditions or confinement complained by pltf were listed in
 4 suicide notes or reasons why Adam Wright & James Thomas (called
 5 right above pltf) committed double suicide in Nov 2011 in same exact
 6 HSE7 side Quad as pltf resides.

7 In December 2011, once I A Def Hert interrogated pltf about
 8 suicide victims ref above and instead of wanting info as to possibly
 9 why said inmates hung themselves, Hert wanted pltf to become an
 10 informant by advising him how and who delivered certain unlawful
 11 contraband to one of said suicide victims. When pltf refused to
 12 become Hert's informant, Hert became infuriated and whisked
 13 pltf out from his presence with threatening comments & looks. In
 14 retaliation for not becoming such informant, Def Hert had pltf
 15 served another Disciplinary misconduct offense report on 2-10-12
 16 alleging pltf sent him a letter "through the system as legal mail".
 17 Shortly after pltf arrived at osp, he received a settlement check of
 18 \$1000. From CIU-06-842D, wherein R. Anderson immediately started
 19 arbitrary process purportedly pursuant to Title 57 O.S. 5566.1 to seize
 20 pltf's Funds. Around Dec 2009, Anderson set in motion acts to
 21 collect our 25 & 30 year old probation fees pltf had previously sat-
 22 isfied in full, and are now expunged or void on their face. IF
 23 Doc intended to charge pltf additional fees they failed to do so
 24 in accordance with governing statutes and the 19th cases of
 25 CRF-82-16 & CRF-82-74 are expunged cases. As to CRF-86-43 &
 26 CRF-86-86A, pltf discharged these in 1991, and said probation as
 27 well as the J & S's of same are "void" on their face due
 28 to pltf being ineligible to receive any probation due to having
 29 prior deferred sentence. Around January 2010 Anderson set in
 30 motion series of acts to collect purported state case filing
 31 fees from pltf or, but not limited to Ottawa County & is

1 SC-99-219, CV-99-288, CJ-00-185, CJ-00-565, CJ-01-04, CF-02-464, CV-02-
 2 468, CV-03-129, CJ-03-257, CJ-09-230, CF-96-265, Beckham County
 3 CJ-00-82, Comanche County SC-00-1896, From pltf to which ~~are~~ orders
 4 exist from those courts directing pltf to pay any fees. During
 5 same period of time, Anderson set in motion series of acts to
 6 collect a \$25,000. Fine from pltf in CF-96-265 contrary to ~~state~~ state
 7 governing policies wherein are to be collected upon pltf's discharge.
 8 On 3-21-11, Anderson set in motion series of acts to seize \$139.
 9 From pltf from Ottawa/Oklahoma County as reimbursement from same
 10 seized from his wallet on 5-04-96 in CF-96-265, two years
 11 before pltf's incarceration, wherein constitutes interests vested in
 12 pltf before his incarceration. In accomplishing above ref acts, Def
 13 Anderson Failed to give pltf an adequate predeprivation notice &
 14 meaningful hearing as to each instance as any such hearing purp-
 15 ported to have been given pltf was presided over a biased, prejud-
 16 icial, and unneutral arbiter, Ron Anderson himself, one and same
 17 as whom prosecuted each action, thereby violating due process.
 18 The two (2) main authorities utilized in above ref actions
 19 are Title 57 O.S. § 566.1 & 63 O.S. § 2-415 wherein pltf alleges
 20 both statutes are unconstitutional and why Drew Edmondson / Scott
 21 Pruitt are named as Defs. Title 57 O.S. § 566.1 is unconstitutional
 22 because it does not incorporate an adequate predeprivation
 23 notice and meaningful hearing required by due process. For example,
 24 pltf was awarded funds in ref cases due to no adequate pre-
 25 deprivation notice & meaningful hearing being afforded him in the
 26 former cases, but due to § 566.1 pltf is being deprived of exact
 27 same funds again because § 566.1 lacks adequate predeprivation
 28 notice & meaningful hearing. If & when the state/OSDC does
 29 decide to give a notice, no formal meaningful hearing is
 30 provided pltf, instead the same person providing the notice and
 31 prosecuting act of seizure (Ron Anderson) is also same one
 32 who presides over hearing. Moreover § 566.1 is unconstitutional.
 10.

1 by usurping authority or right to subrogation over any previous debt/
 2 creditors incurred by plaintiff who would as normally required by law,
 3 have right of 1st subrogation. Furthermore, §566.1 is unconstitutional
 4 because it involves taking of plaintiff's monetary settlements/awards
 5 that arose from property interests vested before his incarceration,
 6 wherein said statute's construction is equivalent to working a
 7 forfeiture and violation of due process under 14th Amend and
 8 Okla Art 256 & 257 and Title 21 O.S. §68. And §566.1 is
 9 arbitrary because it discriminates against plaintiff, wherein free
 10 world/unincarcerated persons who have incurred debt with state,
 11 when receiving similar settlements/awards are not required to
 12 forced subrogation over principal creditors.

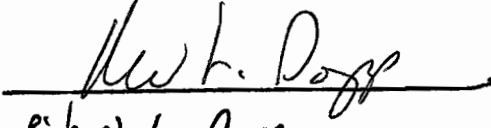
13 Title 63 O.S. §2-415 trafficking statute is likewise uncon-
 14 stit as the mandatory criminal fine provision is not being
 15 applied evenly to all similarly situated trafficking offenders across
 16 the board. Plaintiff was sentenced to pay \$75,000. Fine as is pur-
 17 portedly required of every trafficking offender as the minimum
 18 amount. However, other similarly situated sentenced under the
 19 same statute throughout state, are not being sentenced to a
 20 fine, or if so, fine is under \$25,000, whereas reflects Deft's
 21 Pruitt/Edmondson enforcement of §2-415 discriminatory
 22 against plaintiff. The 5th/14th Amend requires Deft's to apply
 23 §2-415 equally across the board to each trafficking offender and
 24 by not doing so has resulted in discrimination against plaintiff
 25 by choosing/picking him out arbitrarily and sentencing him to a
 26 fine, but then not fine the other similarly situated offenders.

Richard L. Dopp 5-02-12
 Richard L. Dopp

Declaration under penalty of perjury

The undersigned declares (or certifies, verifies, or states) under penalty of perjury, of age and sound mind, competent to testify to said matters, states that he has read the hereinabove Declaration and information contained therein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621

Executed at Okla. State penitentiary (OSP) on 5-02, 2012
McAlester, OK


Richard L. Dopp